PHA Plans

5 Year Plan for Fiscal Years 2001 - 2005 Annual Plan for Fiscal Year 2001

Version 2 - June 15, 2001

HOUSING AUTHORITY OF THE CITY OF HIGH POINT

500 East Russell Avenue, High Point, NC 27260 P. O. Box 1779, High Point, NC 27261

Telephone: 336-887-2661; TDD: 336-887-2661; FAX: 336-887-2414

HUD 50075 Omb Approval No: 2577-0226

Expires 03/31/2002

PHA Plan Agency Identification

PHA N	Name: Housing Authority of the City of High Point			
PHA N	PHA Number: NC006			
PHA I	Fiscal Year Beginning: (01/2001)			
Public	Access to Information			
contact	ation regarding any activities outlined in this plan can be obtained by ing: (select all that apply) Main administrative office of the PHA PHA development management offices PHA local offices			
Displa	y Locations For PHA Plans and Supporting Documents			
that app	Main administrative office of the PHA PHA development management offices PHA local offices Main administrative office of the local government Main administrative office of the County government Main administrative office of the State government Public library PHA website Other (list below)			
	an Supporting Documents are available for inspection at: (select all that apply) Main business office of the PHA PHA development management offices Other (list below)			

5-YEAR PLAN - NC006

HOUSING AUTHORITY OF THE CITY OF HIGH POINT, NORTH CAROLINA PHA FISCAL YEARS 2001 – 2005??

[24 CFR Part 903.5]

A. Mission				
	e PHA's mission for serving the needs of low-income, very low income, and extremely low-income in the PHA's jurisdiction. (select one of the choices below)			
	The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.			
☑B. G	The PHA's mission is: The Mission of the Housing Authority of the City of High Point is to provide eligible families and individuals with adequate and affordable housing, economic advancement, and homeownership opportunities in a safe, drug-free, suitable living environment without discrimination.			
The goa emphas identify PHAS SUCCI (Quanti	als and objectives listed below are derived from HUD's strategic Goals and Objectives and those ized in recent legislation. PHAs may select any of these goals and objectives as their own, or other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF ESS IN REACHING THEIR OBJECTIVES OVER THE COURSE OF THE 5 YEARS. fiable measures would include targets such as: numbers of families served or PHAS scores d.) PHAs should identify these measures in the spaces to the right of or below the stated objectives.			
HUD housii	Strategic Goal: Increase the availability of decent, safe, and affordable ng.			
	PHA Goal: Expand the supply of assisted housing Objectives:			

Acquire or build units or developments: secure additional property for homeownership development at a rate of approximately 50 units per year

 \boxtimes

		Other (list below)
	PHA C Object	Goal: Improve the quality of assisted housing ives: Improve public housing management: (PHAS score) as 100% PHMAP high performer, strive to maintain high performance with 100% Improve voucher management: (SEMAP score) achieve 100% Increase customer satisfaction: additional customer service training for staff Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections): in-house cross training Renovate or modernize public housing units: provide air-conditioning for all units Demolish or dispose of obsolete public housing: Provide replacement public housing: Provide replacement vouchers: Other: (list below)
	PHA CObject	Goal: Increase assisted housing choices ives: Provide voucher mobility counseling: continue and improve information disseminated in briefing sessions Conduct outreach efforts to potential voucher landlords: annual joint meeting with owners and potential owners Increase voucher payment standards, if necessary, to stay within the private market range Implement voucher homeownership program: to accrue downpayment assistance Implement public housing or other homeownership programs: continue and increase current program through marketing efforts Implement public housing site-based waiting lists: Convert public housing to vouchers: Other: (list below)
HUD	Strateg	ic Goal: Improve community quality of life and economic vitality
	PHA C Object	Goal: Provide an improved living environment ives: Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments: tenant

		selection based on monthly review of targeted income needed to achieve deconcentration Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments: tenant selection based on monthly review of targeted
		income needed to achieve deconcentration Implement public housing security improvements: steel security screens and doors, security fence, ADA self-closing doors, study security lighting
		Designate developments or buildings for particular resident groups (elderly, persons with disabilities): NC006003 and NC006008 are
		currently designated as elderly with objective to remain as such Other: (list below)
	Strategio dividua	c Goal: Promote self-sufficiency and asset development of families
househ	olds	oal: Promote self-sufficiency and asset development of assisted
	Objecti	ves:
		Increase the number and percentage of employed persons in assisted families: currently 307 HOH and 337 HOH + family members out of a total PH makeup of 1132 (as of 8/17/99) are employed—objective is to increase by 25% the HOH and family members employed
		Provide or attract supportive services to improve assistance recipients' employability: consultation with Employment Security Commission, Guilford County Workforce Development Board, Joblink, and temporary
		employment agencies in securing employment for residents Provide or attract supportive services to increase independence for the elderly or families with disabilities: continue Congregate Housing
		Program and CNA Training program Other: (list below)
HUD S	Strategio	c Goal: Ensure Equal Opportunity in Housing for all Americans
	PHA Gobjecti	oal: Ensure equal opportunity and affirmatively further fair housing ves:
		Undertake affirmative measures to ensure access to assisted housing
		regardless of race, color, religion national origin, sex, familial status, and disability: track all applicants and tenants in order to provide outreach efforts to people of diverse backgrounds to ensure a diversified mix of residents, extensive advertising of availability of assisted housing

Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability: adhere to the mission of the DLA by addressing maintenance and modernization needs in all
the PHA by addressing maintenance and modernization needs in all projects equally
Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required: in accordance with Section 504 and the Fair Housing Amendments Act of 1988, the PHA will make structural modifications to its housing and nonhousing facilities, make reasonable accommodations, or combinations of the two, to permit people with disabilities to take full advantage of the housing program; however, in making reasonable accommodations or structural modifications for otherwise qualified persons with disabilities, the PHA is not required to: (1) make each of its existing facilities accessible, or make structural alternatives when other methods can be demonstrated to achieve the same effect, (2) make structural alterations that require the removal or altering of a loadbearing member, (3) provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below the grade level, and (4) take any action that would result in a fundamental alteration in the nature of the program; the PHA will consult with a local Advocacy Group for
Disabilities to better address the needs of persons with all varieties of
disabilities.
Other: (list below)

Other PHA Goals and Objectives: (list below)

Annual PHA Plan – NC006 HOUSING AUTHORITY OF THE CITY OF HIGH POINT HIGH POINT, NORTH CAROLINA

PHA Fiscal Year 2001 (01/01/2001 – 12/31/2001)

[24 CFR Part 903.7]

i. Annual Plan Type:
Select which type of Annual Plan the PHA will submit.
Standard Plan
Streamlined Plan:
High Performing PHA
Small Agency (<250 Public Housing Units)
Administering Section 8 Only
Troubled Agency Plan
ii. Executive Summary of the Annual PHA Plan
[24 CFR Part 903.7 9 (r)] Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives
and discretionary policies the PHA has included in the Annual Plan.

The Quality Housing and Work Responsibility Act of 1998 (QHWRA), landmark legislation signed October 21, 1998, is designed to make public housing reform a reality by reducing the concentration of poverty in public housing, assuring access to housing assistance for needed families, supporting families in making the transition from welfare to gainful employment, raising performance standards of public housing agencies, transforming public housing through new and revised policies and procedures, consolidating the Section 8 certificate and voucher programs, and supporting HUD management reform endeavors. The Housing Authority of the City of High Point, in compliance with QHWRA, has developed an annual plan and a 5-year plan that will inform the U. S. Department of Housing and Urban Development (HUD), the public housing and Section 8 residents served by the Housing Authority of the City of High Point, and members of the general public regarding the mission and implementation strategy of the housing authority in serving the needs of low-income and very low-income residents. The proposed strategy of the Housing Authority of the City of High Point for addressing the mission of the agency includes several changes in policies and procedures, as outlined below.

The Board of Commissioners of the Housing Authority of the City of High Point is comprised of seven Commissioners, including one member directly assisted by the public housing agency. All members are appointed by the Mayor of the City of High Point, in compliance with state and local law. In addition, three residents receiving assistance under the Section 8 program have been selected to serve in an advisory capacity on the Housing Authority Resident Advisory Board, composed of representatives of all public housing communities and the Section 8 program.

The HPHA is a Moving -to-Work Demonstration Agency. The Agency may adopt and implement any reasonable policies for setting rents for public housing, or rents or subsidy levels for tenant-based assistance, notwithstanding the U. S. Housing Act of 1937.

The HPHA actively promotes Homeownership through its Affordable Housing programs.

Effective January 1, 2001, the lease agreement for all public housing residents was revised to include the following changes:

Payment of Rent and Other Charges:

Termination procedures shall begin in the event payment is not made by the 7th day of the current month for which rent is due, except for families who have submitted a written request for a hardship exemption or suspension of a minimum rent currently being charged. Exemptions and suspensions may be granted if one or more of the following hardship circumstances apply to the affected family:

- 1. The family has lost eligibility for local, state, or federal assistance, or is awaiting an eligibility determination.
- 2. Requiring the household to pay minimum rent would result in the family being evicted.
- 3. The family income has decreased because of a change in circumstances, such as a loss of employment.
- 4. A death in the household has occurred; and
- 5. Other circumstances as may be determined by the U. S. Department of Housing and Urban Development or the Housing Authority have occurred

Minimum rents that are exempted will not require reimbursement to the Housing Authority regardless of the length of time of the exemption. Exemptions will be based on verifiable evidence submitted by the affected tenant proving that a loss or interruption of income was beyond the individual family member's control and/or that the individual family member who lost or had his or her income interrupted did not contribute to the loss or interruption by an act or inaction on their or other family member's part. Suspensions of the minimum rent will be given on request when it has been verified that one or more of the hardship circumstances described herein apply to the family.

Minimum rents that are suspended will require reimbursement to the Housing Authority. The Housing Authority will offer a reasonable pay

Expires: 03/31/2002

back agreement to those tenants whose minimum rent has been suspended. The minimum rent for families whose head or spouse is elderly, disabled or handicapped is \$25.00 per month and will remain at that level unless otherwise changed by the Board of Commissioners. Effective October 1, 1999 the minimum rent for all other families (not elderly, disabled or handicapped) became \$50.00 per month. Effective January 1, 2000 the minimum rent for all other families (not elderly, disabled or handicapped) increased to \$100.00 per month.

Redetermination of Rent and Dwelling Size

Flat Rents

The Housing Authority has established a flat rent for each public housing unit in an amount that is posted in the administrative and project offices of the Housing Authority. A copy of the flat rents shall be provided to any resident upon request. Flat rents will be subject to periodic change without prior notification to the residents. Families may choose to have their rent based on their income or pay the flat rent established for their dwelling. Families which have chosen to pay the flat rent shall have their income re-examined at three year intervals. In the event the resident experiences a decrease in income and would experience a hardship, as defined above, if they were required to continue to pay the flat rent, the resident may report the change and request that their rent be changed to an income based rent.

Flat Rents Effective January 1, 2000 are as follows:

Number of Bedrooms	<u>Flat Monthly Rent (Proposed)</u>
0	\$285
1	\$335
2	\$390
3	\$485
4	\$550
5	\$630

Deconcentration Plan:

With respect to selection of families to lease units in the Public Housing program, selection will be in such a manner as to avoid concentration of the most economically and socially deprived families in one or all of the developments operated by the Housing Authority and to provide for income mixing by bringing higher income tenants into lower income public housing communities and bringing lower income tenants into higher income public housing communities.

The PHA shall categorize assisted tenants in all programs by income in one of the following groups:

Extremely Low Income Not more than 30% of the area median

income

Very Low Income More than 30% but not more than 50% of

the area median income

Lower Income More than 50% but not more than 80% of

the area median income

Overincome More than 80% of the area median income

The area median income (AMI) shall be defined by HUD, adjusted for family size and is subject to periodic change.

The PHA shall categorize each applicant for assistance for all programs in the same manner as presented above.

The PHA shall utilize information from these categories and other statistical information concerning income distribution in the PHA's area of operation as may be provided from time to time by the U. S. Department of Housing and Urban Development to develop goals designed to achieve the deconcentration and income mixing objectives stated herein and to

remain consistent with income targeting distribution percentages as required by HUD. The PHA shall review these goals periodically and make appropriate adjustments as may be needed when income distributions in the locality change. Staff responsible for selecting tenants for public housing assistance from the waiting list shall consider income distributions within the community where the unit exists and the goals for that community prior to selecting an applicant for occupancy first, then shall select in accordance with prevalent preferences established by the Housing Authority.

The above is a summary of the major changes being incorporated into the policies and procedures of the Housing Authority of the City of High Point and is not intended to be a complete description of all changes, nor is it a description of all parts of the new law which may affect public housing and Section 8 residents.

iii. Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

Table of Contents

		Page #
Aı	nnual Plan	
i.	Executive Summary	1
ii.	Table of Contents	6
	1. Housing Needs	9
	2. Financial Resources	16
	3. Policies on Eligibility, Selection and Admissions	17
	4. Rent Determination Policies	27
	5. Operations and Management Policies	31
	6. Grievance Procedures	
	7. Capital Improvement Needs	34
	8. Demolition and Disposition	39
	9. Designation of Housing	40
	10. Conversions of Public Housing	41
	11. Homeownership	42
	12. Community Service Programs	
	,	

13. Crime and Safety	46
14. Pets (Inactive for January 1 PHAs)	48
15. Civil Rights Certifications (included with l	
16. Audit	
17. Asset Management	49
18. Other Information	49
Attachments	
Indicate which attachments are provided by selecting all that etc.) in the space to the left of the name of the attachment. I SEPARATE file submission from the PHA Plans file, provi to the right of the title.	Note: If the attachment is provided as a
Required Attachments: A. Admissions Policy for Deconcentration B. FY 2000 Capital Fund Program Annual Most recent board-approved operating bud that are troubled or at risk of being designation.	Statement get (Required Attachment for PHAs
Optional Attachments: ☐ C. PHA Management Organizational Chan ☐ D. FY 2000 Capital Fund Program 5 Year ☐ E. Public Housing Drug Elimination Progr ☐ F. Comments of Resident Advisory Board included in PHA Plan text)	Action Plan ram (PHDEP) Plan
Other (List below, providing each attachme	ent name)
nc006c02.doc – Sec 8 HCV Admin Plan	nc006k02.doc – Pet policy
nc006f02.doc – Trespass policy	nc006g02.doc – Grievance Proc.
nc006h02.doc – FSS Action plan	nc006i02.doc – Rent burden
nc006j02.doc – Lease agreement	nc006l02.doc - Res Commissioner
nc006m02.doc - Res Advisory Board	nc006n02.doc - RSS Followup
nc006o02 doc - CFP Table	•

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

List of Supporting Documents Available for Review		
Applicable & On Display	Supporting Document	Applicable Plan Component
1.	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
2.	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
3.	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is	5 Year and Annual Plans

Applicable	List of Supporting Documents Available for Supporting Document	Applicable Plan
& On Display		Component
On Display	addressing those impediments in a reasonable fashion in view	
	of the resources available, and worked or is working with	
	local jurisdictions to implement any of the jurisdictions'	
	initiatives to affirmatively further fair housing that require	
	the PHA's involvement.	
4.	Consolidated Plan for the jurisdiction/s in which the PHA is	Annual Plan:
	located (which includes the Analysis of Impediments to Fair	Housing Needs
	Housing Choice (AI) and any additional backup data to	
	support statement of housing needs in the jurisdiction	
5.	Most recent board-approved operating budget for the public	Annual Plan:
	housing program	Financial Resources;
6.	Public Housing Admissions and (Continued) Occupancy	Annual Plan: Eligibility,
•	Policy (A&O), which includes the Tenant Selection and	Selection, and Admissions
	Assignment Plan [TSAP]	Policies
_		
7.	Section 8 Administrative Plan	Annual Plan: Eligibility,
		Selection, and Admissions Policies
8.	Public Housing Deconcentration and Income Mixing	Annual Plan: Eligibility,
0.	Documentation:	Selection, and Admissions
	PHA board certifications of compliance with	Policies
	deconcentration requirements (section 16(a) of the US	Toneics
	Housing Act of 1937, as implemented in the 2/18/99	
	Quality Housing and Work Responsibility Act Initial	
	Guidance; Notice and any further HUD guidance) and	
	2. Documentation of the required deconcentration and	
	income mixing analysis	
9.	Public housing rent determination policies, including the	Annual Plan: Rent
	methodology for setting public housing flat rents	Determination
	check here if included in the public housing	
1.0	A & O Policy	4 1pt p :
10.	Schedule of flat rents offered at each public housing	Annual Plan: Rent
	development	Determination
	check here if included in the public housing	
11.	A & O Policy Section 8 rent determination (payment standard) policies	Annual Plan: Rent
11.	check here if included in Section 8	Determination
	Administrative Plan	Determination
12.	Public housing management and maintenance policy	Annual Plan: Operations
14.	documents, including policies for the prevention or	and Maintenance
	eradication of pest infestation (including cockroach	wird intuitionalion
	infestation)	
13.	Public housing grievance procedures	Annual Plan: Grievance
	check here if included in the public housing	Procedures
	A & O Policy	
14.	Section 8 informal review and hearing procedures	Annual Plan: Grievance
	check here if included in Section 8	Procedures

Applicable & On Display	List of Supporting Documents Available for Supporting Document	Applicable Plan Component
On Display	Administrative Plan	
15.	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
N/A	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
16.	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
17.	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
18.	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
19.	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
20.	Approved or submitted public housing homeownership programs/plans Policies governing any Section 8 Homeownership program	Annual Plan: Homeownership Annual Plan:
	check here if included in the Section 8 Administrative Plan	Homeownership
21.	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
22.	FSS Action Plan/s for public housing and/or Section 8 REPLACED BY PROVISIONS OF MOVING-TO-WORK DEMONSTRATION AGREEMENT	Annual Plan: Community Service & Self-Sufficiency
23.	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
24.	The most recent Public Housing Drug Elimination Program (PHEDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
25.	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
N/A	Other supporting documents (optional) (list individually; use as many lines as necessary) nc006n02.doc - Resident Satisfaction Survey Followup	(specify as needed) Available for review
	nc006o02.doc - CFP Table	

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make this assessment.

Housing Needs of Families in the Jurisdiction by Family Type							
Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion
Income <= 30% of AMI	2743	5	5	N/A	N/A	5	5
Income >30% but <=50% of AMI	2298	5	5	N/A	N/A	5	5
Income >50% but <80% of AMI	2906	3	3	N/A	N/A	3	3
Elderly	1721	4	4	N/A	N/A	4	4
Families with Disabilities	50	5	5	N/A	N/A	5	5
Race/Ethnicity	3841	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity							
Race/Ethnicity		-	_				-
Race/Ethnicity			_				

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

\boxtimes	Consolidated Plan of the Jurisdiction/s
	Indicate year: 1995-2000
\boxtimes	U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS")
	dataset
	American Housing Survey data
	Indicate year:
\boxtimes	Other housing market study
	Indicate year: 1999
	Other sources: (list and indicate year of information)

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. Complete one table for each type of PHA-wide waiting list administered by the PHA. PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Н	ousing Needs of Fami	lies on the Waiting Li	st
Public Housing Combined Sect Public Housing	t-based assistance sion 8 and Public Housi	sdictional waiting list (optional)
,	# of families	% of total families	Annual Turnover
Waiting list total	628	100	619
Extremely low income <=30% AMI	456	73	502
Very low income (>30% but <=50% AMI)	153	25	104
Low income (>50% but <80% AMI)	19	2	13
Families with children	138	34	410
Elderly families	29	7	75
Families with Disabilities	70	17	109
Race/ethnicity (Caucasian)	78	19	110
Race/ethnicity (African American)	326	80	505
Race/ethnicity (Asian)	2	1	7
Race/ethnicity (American Indian)	0	0	5
Characteristics by			

Housing Needs of Families on the Waiting List				
Bedroom Size				
(Public Housing				
Only)				
1BR	388	62	163	
2 BR	188	30	251	
3 BR	49	8	152	
4 BR	3	1	44	
5 BR	0	0	7	
5+ BR	0	0	0	
Is the waiting list clos	sed (select one)? 🛛 No	o Yes		
If yes:				
How long has	it been closed (# of mo	nths)?		
Does the PHA	expect to reopen the lis	st in the PHA Plan year	? No Yes	
Does the PHA	permit specific categor	ries of families onto the	waiting list, even if	
generally close	ed? No Yes			

Housing Needs of Families on the Waiting List				
Waiting list type: (select one) ☐ Section 8 tenant-based assistance ☐ Public Housing ☐ Combined Section 8 and Public Housing ☐ Public Housing Site-Based or sub-jurisdictional waiting list (optional) ☐ If used, identify which development/subjurisdiction: # of families % of total families Annual Turnover				
	" of families	70 of total families	7 minuar 1 armover	
Waiting list total	1787	100	825	
Extremely low income <=30% AMI	1260	71	635	
Very low income (>30% but <=50% AMI)	480	26	182	
Low income (>50% but <80% AMI)	46	3	8	
Families with children	1396	79	627	
Elderly families	58	4	25	
Families with Disabilities	200	12	74	

I	Housing Needs of Fami	ilies on the Waiting Li	st
Race/ethnicity	384	22	182
(Caucasian)	301		102
Race/ethnicity	1370	76	627
(African American)			
Race/ethnicity	18	1	8
(Asian)			
Race/ethnicity	15	1	8
(American Indian)			
	1	1	
Characteristics by	N/A		
Bedroom Size			
(Public Housing			
Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
	sed (select one)? X N	o Yes	
If yes:			
_	it been closed (# of mo	onths)?	
· ·	`	st in the PHA Plan year	? No Yes
Does the PHA	A permit specific catego	ries of families onto the	waiting list, even if
generally clos			
	n of the PHA's strategy for a	addressing the housing needs ING YEAR, and the Agence	
(1) Strategies Need: Shortage of a	affordable housing for	all eligible population	s
its current resources		dable units available t	to the PHA within
Select all that apply			
number of pul	blic housing units off-li		ninimize the
Reduce turnov	Reduce turnover time for vacated public housing units		

\boxtimes	Reduce time to renovate public housing units Seek replacement of public housing units lost to the inventory through mixed
	finance development Seek replacement of public housing units lost to the inventory through section 8
\boxtimes	replacement housing resources Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
	Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
	Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
	Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
	Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
	Other (list below)
	gy 2: Increase the number of affordable housing units by:
\boxtimes	Apply for additional section 8 units should they become available Leverage affordable housing resources in the community through the creation of mixed - finance housing
	Pursue housing resources other than public housing or Section 8 tenant-based assistance.
	Other: (list below)
Need:	Specific Family Types: Families at or below 30% of median
	gy 1: Target available assistance to families at or below 30 % of AMI ll that apply
	Exceed HUD federal targeting requirements for families at or below 30% of
	AMI in public housing Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
	Employ admissions preferences aimed at families with economic hardships Adopt rent policies to support and encourage work Other: (list below)
Need:	Specific Family Types: Families at or below 50% of median
	gy 1: Target available assistance to families at or below 50% of AMI

	Employ admissions preferences aimed at families who are working Adopt rent policies to support and encourage work Other: (list below)
Need:	Specific Family Types: The Elderly
	gy 1: Target available assistance to the elderly: l that apply
	Seek designation of public housing for the elderly Apply for special-purpose vouchers targeted to the elderly, should they become available Other: (list below)
Need:	Specific Family Types: Families with Disabilities
	gy 1: Target available assistance to Families with Disabilities: l that apply
	Seek designation of public housing for families with disabilities Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing Apply for special-purpose vouchers targeted to families with disabilities, should they become available Affirmatively market to local non-profit agencies that assist families with disabilities Other: (list below)
needs	Specific Family Types: Races or ethnicities with disproportionate housing gy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:
Select if	applicable
	Affirmatively market to races/ethnicities shown to have disproportionate housing needs Other: (list below)
	gy 2: Conduct activities to affirmatively further fair housing

	Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units Market the section 8 program to owners outside of areas of poverty /minority concentrations Other: (list below)
Other	Housing Needs & Strategies: (list needs and strategies below)
(2) Re	easons for Selecting Strategies
	factors listed below, select all that influenced the PHA's selection of the
strateg	ies it will pursue:
\boxtimes	Funding constraints
\boxtimes	Staffing constraints
	Limited availability of sites for assisted housing
\boxtimes	Extent to which particular housing needs are met by other organizations in the
5	community
	Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
\boxtimes	Influence of the housing market on PHA programs
\boxtimes	Community priorities regarding housing assistance
\boxtimes	Results of consultation with local or state government
\boxtimes	Results of consultation with residents and the Resident Advisory Board
	Results of consultation with advocacy groups
	Other: (list below)

2. Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses				
Sources Planned \$ Planned Uses				
1. Federal Grants (FY 2000 grants)				
a) Public Housing Operating Fund	2,506,064.			
b) Public Housing Capital Fund	1,914,088.	Capital Improvements		
c) HOPE VI Revitalization	2,500,000	Other		

Financial Resources:						
Planned Sources and Uses Sources Planned \$ Planned Uses						
d) HOPE VI Demolition	Tranned \$	Trainicu Oscs				
e) Annual Contributions for Section						
8 Tenant-Based Assistance	5,382,490.					
f) Public Housing Drug Elimination Program (including any Technical	, ,	DII Cofoty/Coopyrity				
Assistance funds)	317,243.	PH Safety/Security PH Supportive				
g) Resident Opportunity and Self- Sufficiency Grants	12,500	Services Services				
h) Community Development Block Grant i) HOME	12,500	Scivices				
Other Federal Grants (list below)						
Chief i cuciui Giunta (inst ceie ii)						
2. Prior Year Federal Grants (unobligated funds only) (list below) DEP	94,945.	PH Safety/Security				
DEI	77,773.	111 Saicty/Security				
3. Public Housing Dwelling Rental Income	2,673,972.	PH Operations				
4. Other income (list below)						
Interest	230,560.	PH Operations				
Transportation	12,500.					
4. Non-federal sources (list below)						
Youthbuild	265,000.	PH Supportive Services				
Total resources	15,909,364.					

3. PHA Policies Governing Eligibility, Selection, and Admissions

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

		litv

	e PHA verify eligibility for admission to public housing? (select all that
apply) When faintenance number -	milies are within a certain number of being offered a unit: (state 20)
	milies are within a certain time of being offered a unit: (state time)
admission to]	eping
	No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?
	No: Does the PHA request criminal records from State law enforcement agencies for screening purposes? No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
(2)Waiting List	Organization
(select all that Commun Sub-juris	nity-wide list ed waiting lists
PHA ma:	nterested persons apply for admission to public housing? in administrative office velopment site management office st below)

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection (3) Assignment
1. How many site-based waiting lists will the PHA operate in the coming year?
2. Yes No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)? If yes, how many lists?
3. Yes No: May families be on more than one list simultaneously If yes, how many lists?
 4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)? PHA main administrative office All PHA development management offices Management offices at developments with site-based waiting lists At the development to which they would like to apply Other (list below)
(3) Assignment
 a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one) One Two Three or More
b. Xes No: Is this policy consistent across all waiting list types?
c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:
(4) Admissions Preferences
a. Income targeting: Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?
b. Transfer policies:

	hat circumstances will transfers take precedence over new admissions? (list below) Emergencies Overhoused Underhoused Medical justification Administrative reasons determined by the PHA (e.g., to permit modernization work) Resident choice: (state circumstances below) Other: (list below)
	Preferences Yes No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection (5) Occupancy)
c	Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)
Form	ner Federal preferences: Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) Victims of domestic violence Substandard housing Homelessness High rent burden (rent is > 50 percent of income)
Othe	Working families and those unable to work because of age or disability Veterans and veterans' families Residents who live and/or work in the jurisdiction Those enrolled currently in educational, training, or upward mobility programs Households that contribute to meeting income goals (broad range of incomes) Households that contribute to meeting income requirements (targeting) Those previously enrolled in educational, training, or upward mobility programs Victims of reprisals or hate crimes Other preference(s) (list below) Residents in emergency situations; that is, residents that have been determined to be involuntary displaced by disaster such as fire or flood, displaced by government action, displaced by minimum housing enforcement code requirements, displaced by re-development planning actions, displaced by

domestic violence, displaced to avoid reprisals, displaced by hate crimes, or as further defined by the Executive Director.

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

Date and Time – within each preference

Former Federal preferences:

Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)

2 Victims of domestic violence

Substandard housing

Homelessness

High rent burden

Other 1	preferences (select all	that app	lv)

- 2. Working families and those unable to work because of age or disability
- 2. Veterans and veterans' families
- 1. Residents who live and/or work in the jurisdiction

Those enrolled currently in educational, training, or upward mobility programs

- 2. Households that contribute to meeting income goals (broad range of incomes)
- 2. Households that contribute to meeting income requirements (targeting) Those previously enrolled in educational, training, or upward mobility programs
- 2. Victims of reprisals or hate crimes
 - 2. Other preference(s) (list below)

Residents in emergency situations; that is, residents that have been determined to be involuntary displaced by disaster such as fire or flood, displaced by government action, displaced by minimum housing enforcement codes, displaced by re-development planning actions, displaced by domestic violence, displaced to avoid reprisals, displaced by hate crimes, or as further defined by the Executive Director.

4.	Relationship of preferences to income targeting requirements:
\boxtimes	The PHA applies preferences within income tiers
	Not applicable: the pool of applicant families ensures that the PHA will meet
	income targeting requirements

Expires: 03/31/2002

(5) Occupancy a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply) The PHA-resident lease The PHA's Admissions and (Continued) Occupancy policy PHA briefing seminars or written materials Other source (list) b. How often must residents notify the PHA of changes in family composition? (select all that apply) At an annual reexamination and lease renewal Any time family composition changes At family request for revision Other (list) (6) Deconcentration and Income Mixing a. Yes No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing? b. Yes No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing? c. If the answer to b was yes, what changes were adopted? (select all that apply) Adoption of site-based waiting lists If selected, list targeted developments below: \boxtimes Employing waiting list "skipping" to achieve deconcentration of poverty or income mixing goals at targeted developments If selected, list targeted developments below:

Employing new admission preferences at targeted developments

NC006001, NC006002, NC006003, NC006004, NC006005, NC006006, NC006008, NC006009, NC006011, NC006012, NC006013, NC006017,

NC006018, NC006019, NC006020

Expires: 03/31/2002

	If selected, list targeted developments below:
	Other (list policies and developments targeted below)
d. 🗌	Yes No: Did the PHA adopt any changes to other policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?
e. If the	ne answer to d was yes, how would you describe these changes? (select all that ly)
	Additional affirmative marketing Actions to improve the marketability of certain developments Adoption or adjustment of ceiling rents for certain developments Adoption of rent incentives to encourage deconcentration of poverty and income-mixing Other (list below)
	ed on the results of the required analysis, in which developments will the PHA special efforts to attract or retain higher-income families? (select all that apply) Not applicable: results of analysis did not indicate a need for such efforts List (any applicable) developments below: NC006001, NC006002, NC006003, NC006004, NC006005, NC006006, NC006008, NC006009, NC006011, NC006012, NC006013, NC006017, NC006018, NC006019, NC006020
_	ed on the results of the required analysis, in which developments will the PHA special efforts to assure access for lower-income families? (select all that apply) Not applicable: results of analysis did not indicate a need for such efforts List (any applicable) developments below:
	ction 8
Unless o	ions: PHAs that do not administer section 8 are not required to complete sub-component 3B. otherwise specified, all questions in this section apply only to the tenant-based section 8 are program (vouchers, and until completely merged into the voucher program, certificates).
(1) Eli	gibility
a. Wh	at is the extent of screening conducted by the PHA? (select all that apply) Criminal or drug-related activity only to the extent required by law or regulation

	Criminal and drug-related activity, more extensively than required by law or regulation – based on predominance of evidence More general screening than criminal and drug-related activity (list factors below) Other (list below)		
	1.	The Housing Authority of the City of High Point will deny participation in the program to applicants and will terminate participants in cases where the Housing Authority of the City of High Point determines there is reasonable cause to believe that the person is illegally using a controlled substance or if the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, including cases where the Housing Authority of the City of High Point determines that there is a pattern of illegal use of a controlled substance or pattern of alcohol abuse. The Housing Authority of the City of High Point will consider the use of a controlled substance or alcohol abuse to be a pattern if there is more than one incident during the previous three (3) months.	
	2.	Applicants evicted from Public Housing, Indian Housing, Section 23 or any Section 8 program because of drug-related criminal activity are ineligible for admission to the Section 8 program for a three (3) year period beginning on the date of such eviction.	
	3.	Applicants will be denied assistance if they have been arrested/convicted/evicted from a unit assisted under the Housing Act of 1937 due to drug-related or violent criminal activity within the last three (3) years prior to the date of the certification interview.	
	4.	Applicants will be denied admission for life who have been convicted of manufacturing or producing methamphetamine (commonly referred to as "speed") on the premises of the public housing project.	
	5.	Admission will be denied for life to any household that includes any individual who is subject to a lifetime registration requirement under a state sex offender registration program.	
b. 🖂	Yes 🗌	No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?	
c	Yes 🔀	No: Does the PHA request criminal records from State law enforcement	

agencies for screening purposes?

d. Yes No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)
e. Indicate what kinds of information you share with prospective landlords? (select all
that apply) Criminal or drug-related activity, if requested by landlord Other (describe below)
(2) Waiting List Organization
 a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply) None Federal public housing
Federal moderate rehabilitation Federal project-based certificate program Other federal or local program (list below)
 b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply) PHA main administrative office Other (list below)
(3) Search Time
a. X Yes No: Does the PHA give extensions on standard 60-day period to search for a unit?
If yes, state circumstances below: The PHA grants up to two 30-day extensions to the standard 60-day period to search for a unit. These extensions will be given to families who can verify they have searched and been unable to locate a suitable unit.
(4) Admissions Preferences
a. Income targeting
Yes No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?
b. Preferences

1. Yes No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent (5) Special purpose section 8 assistance programs)
2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)
Former Federal preferences Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) Victims of domestic violence Substandard housing Homelessness High rent burden (rent is > 50 percent of income)
Other preferences (select all that apply) Working families and those unable to work because of age or disability Veterans and veterans' families Residents who live and/or work in your jurisdiction Those enrolled currently in educational, training, or upward mobility programs Households that contribute to meeting income goals (broad range of incomes) Households that contribute to meeting income requirements (targeting) Those previously enrolled in educational, training, or upward mobility programs Victims of reprisals or hate crimes Other preference(s) (list below) Emergencies: Residents in emergency situations; that is, residents that have been determined to be involuntary displaced by disaster such as fire or flood, displaced by government action, displaced by minimum housing enforcement codes, displaced by re-development planning actions, displaced by domestic violence, displaced to avoid reprisals, displaced by hate crimes, or as further defined by the Executive Director.
3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.
Date and Time within each preference
Former Federal preferences

2.	Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition) Victims of domestic violence Substandard housing Homelessness High rent burden
Other	2. Working families and those unable to work because of age or disability 2. Veterans and veterans' families 1. Residents who live and/or work in your jurisdiction Those enrolled currently in educational, training, or upward mobility programs 2. Households that contribute to meeting income goals (broad range of incomes) 2. Households that contribute to meeting income requirements (targeting) Those previously enrolled in educational, training, or upward mobility programs 2. Victims of reprisals or hate crimes 2. Other preference(s) (list below) Emergencies: Residents in emergency situations; that is, residents that have been determined to be involuntary displaced by disaster such as fire or flood, displaced by government action, displaced by minimum housing enforcement codes, displaced by re-development planning actions, displaced by domestic violence, displaced to avoid reprisals, displaced by hate crimes, or as further defined by the Executive Director.
	nong applicants on the waiting list with equal preference status, how are plicants selected? (select one) Date and time of application Drawing (lottery) or other random choice technique
	he PHA plans to employ preferences for "residents who live and/or work in the sdiction" (select one) This preference has previously been reviewed and approved by HUD The PHA requests approval for this preference through this PHA Plan
6. Rel	ationship of preferences to income targeting requirements: (select one) The PHA applies preferences within income tiers Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply) The Section 8 Administrative Plan Briefing sessions and written materials Other (list below) b. How does the PHA announce the availability of any special-purpose section 8 programs to the public? Through published notices Other (list below) Department of Social Services 4. PHA Rent Determination Policies [24 CFR Part 903.7 9 (d)] A. Public Housing Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A. (1) Income Based Rent Policies Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below. a. Use of discretionary policies: (select one) The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2)) ---or---

b. Minimum Rent

 \boxtimes

1. What amount best reflects the PHA's minimum rent? (select one)

selected, continue to question b.)

The PHA employs discretionary policies for determining income based rent (If

□ \$0 □ \$1-\$25 □ \$26-\$50 NOTE: PHA is a MTW agency with Minimum Rent Policy of and \$100 for non-elderly, effective 01/01/00.	of \$25 for elderly
2. Yes No: Has the PHA adopted any discretionary minimum exemption policies?	n rent hardship
3. If yes to question 2, list these policies below:	
c. Rents set at less than 30% than adjusted income	
1. Yes No: Does the PHA plan to charge rents at a fixed ampercentage less than 30% of adjusted income?	
2. If yes to above, list the amounts or percentages charged and the ci under which these will be used below:	rcumstances
 d. Which of the discretionary (optional) deductions and/or exclusion PHA plan to employ (select all that apply) For the earned income of a previously unemployed household For increases in earned income Fixed amount (other than general rent-setting policy) If yes, state amount/s and circumstances below: \$1200 annually for transportation expenses to families one member with earned income 	l member
Fixed percentage (other than general rent-setting policy) If yes, state percentage/s and circumstances below:	
 □ For household heads □ For other family members □ For transportation expenses □ For the non-reimbursed medical expenses of non-disabled or families □ Other (describe below) 	non-elderly
e. Ceiling rents	

1.	Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)
	Yes for all developments Yes but only for some developments No
2.	For which kinds of developments are ceiling rents in place? (select all that apply)
	For all developments For all general occupancy developments (not elderly or disabled or elderly only) For specified general occupancy developments For certain parts of developments; e.g., the high-rise portion For certain size units; e.g., larger bedroom sizes Other (list below)
3.	Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)
	Market comparability study Fair market rents (FMR) 95 th percentile rents 75 percent of operating costs 100 percent of operating costs for general occupancy (family) developments Operating costs plus debt service The "rental value" of the unit Other (list below)
f.	Rent re-determinations:
1.	Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply) Never At family option Any time the family experiences an income increase Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold)
	Other (list below) Any time a family experiences a reduction in family income that is expected to continue for a period of more than 30 days.

g. Yes No: I	Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?
(2) Flat Rents	
to establish comp The section 8 Survey of ren Survey of sim Other (list/dec	ket-based flat rents, what sources of information did the PHA use arability? (select all that apply.) rent reasonableness study of comparable housing its listed in local newspaper ilar unassisted units in the neighborhood scribe below) ilar unassisted units in the city
R Section & Ten	ant-Based Assistance
Exemptions: PHAs that of sub-component 4B. Unle	lo not administer Section 8 tenant-based assistance are not required to complete as otherwise specified, all questions in this section apply only to the tenant-te program (vouchers, and until completely merged into the voucher
Exemptions: PHAs that of sub-component 4B. Unle based section 8 assistant program, certificates).	lo not administer Section 8 tenant-based assistance are not required to complete as otherwise specified, all questions in this section apply only to the tenant-ce program (vouchers, and until completely merged into the voucher
Exemptions: PHAs that of sub-component 4B. Unle based section 8 assistant program, certificates). (1) Payment Standa	lo not administer Section 8 tenant-based assistance are not required to complete as otherwise specified, all questions in this section apply only to the tenant-ce program (vouchers, and until completely merged into the voucher
Exemptions: PHAs that of sub-component 4B. Unle based section 8 assistant program, certificates). (1) Payment Standa Describe the voucher pay a. What is the PHA's standard) At or above 9 100% of FME Above 100%	lo not administer Section 8 tenant-based assistance are not required to complete as otherwise specified, all questions in this section apply only to the tenant-be program (vouchers, and until completely merged into the voucher ards ment standards and policies. payment standard? (select the category that best describes your 0% but below100% of FMR

 c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply) FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area Reflects market or submarket To increase housing options for families Other (list below)
 d. How often are payment standards reevaluated for adequacy? (select one) Annually Other (list below)
e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply) Success rates of assisted families Rent burdens of assisted families Other (list below)
(2) Minimum Rent
a. What amount best reflects the PHA's minimum rent? (select one) \$0 \$1-\$25 \$26-\$50 NOTE: Minimum rent increased to \$100 effective 01/01/00 (MTW Agency)
b. Yes No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)
5. Operations and Management [24 CFR Part 903.7 9 (e)]
Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)
A. PHA Management Structure
Describe the PHA's management structure and organization. (select one)

	An organization chart showing the PHA's management structure and organization is attached. A brief description of the management structure and organization of the PHA follows:		РНА	
B. HU	D Programs Unde	er PHA Management		
			of families served at the beginning	
	oming fiscal year, and rate any of the program		e "NA" to indicate that the PHA	does not
	am Name	Units or Families Expected		
			r x Decteu	
			_	
		Served at Year	Turnover	
Public			_	
	Housing 1 8 Vouchers	Served at Year	_	
Section	Housing	Served at Year	_	
Section Section	Housing 1 8 Vouchers	Served at Year	_	
Section Section	Housing 1 8 Vouchers 1 8 Certificates	Served at Year	_	
Section Section Section Specia	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab	Served at Year	_	
Section Section Section Specia 8 Certi	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab 1 Purpose Section	Served at Year	_	
Section Section Specia 8 Certi (list in	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab 1 Purpose Section ficates/Vouchers	Served at Year	_	
Section Section Specia 8 Certi (list in Public Elimin	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab 1 Purpose Section ficates/Vouchers dividually) Housing Drug ation Program	Served at Year	_	
Section Section Specia 8 Certi (list inc Public	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab 1 Purpose Section ficates/Vouchers dividually) Housing Drug ation Program	Served at Year	_	
Section Section Specia 8 Certi (list in Public Elimin	Housing 1 8 Vouchers 1 8 Certificates 1 8 Mod Rehab 1 Purpose Section ficates/Vouchers dividually) Housing Drug ation Program	Served at Year	_	

C. Management and Maintenance Policies

Other Federal Programs(list individually)

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

(1) Public Housing Maintenance and Management: (list below)

(2) Section 8 Management: (list below)
6. PHA Grievance Procedures [24 CFR Part 903.7 9 (f)] Exemptions from component 6: High performing PHAs are not required to complete component 6.
Section 8-Only PHAs are exempt from sub-component 6A.
A. Public Housing 1. Yes No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?
If yes, list additions to federal requirements below:
 2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply) PHA main administrative office PHA development management offices Other (list below)
B. Section 8 Tenant-Based Assistance 1. Yes No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?
If yes, list additions to federal requirements below:
2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

	PHA main administrative office Other (list below)
[24 CFI Exempt	apital Improvement Needs R Part 903.7 9 (g)] tions from Component 7: Section 8 only PHAs are not required to complete this component and ip to Component 8.
Exempt	apital Fund Activities tions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may component 7B. All other PHAs must complete 7A as instructed.
Using p activities its publicables p	parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital es the PHA is proposing for the upcoming year to ensure long-term physical and social viability of ic housing developments. This statement can be completed by using the CFP Annual Statement provided in the table library at the end of the PHA Plan template OR , at the PHA's option, by ting and attaching a properly updated HUD-52837.
Select	
	The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

Component 7 Capital Fund Program Annual Statement Parts I, II, and II

Annual Statement Capital Fund Program (CFP) Part I: Summary

Capital Fund Grant Number NC00600100D FFY of Grant Approval: (12/31/00)

Original Annual Statement

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	191,409.
3	1408 Management Improvements	228,629.
4	1410 Administration	152,420
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	57,158.
8	1440 Site Acquisition	
9	1450 Site Improvement	777,671.
10	1460 Dwelling Structures	325,402.
11	1465.1 Dwelling Equipment-Nonexpendable	
12	1470 Nondwelling Structures	121,379.
13	1475 Nondwelling Equipment	60,020.
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)	1,914,088.
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security	63,163.
24	Amount of line 20 Related to Energy Conservation	303,363.
	Measures	

Annual Statement Capital Fund Program (CFP) Part II: Supporting Table

Development	General Description of Major Work	Development	Total
Number/Name	Categories	Account	Estimated
HA-Wide Activities		Number	Cost
NC006001	Add / Renovate Community Center	1470	121,379
NC006001	Install Foundation Vents	1450	43,050
NC006006	A & E Design Service	1430	27,187
NC006006	Drain Lines (Complete)	1450	19,726
NC006006	Additional Street Lights	1450	13,821
NC006006	Replace Water & Sewer Lines	1450	326,767
NC006008	A & E Design Services	1430	29,971
NC006008	Repave Streets	1450	19,596
NC006008	Install New Windows	1460	261,707
NC006009	Replace Gas Meters	1450	354,711
NC006009	Replace Electric Transformers	1460	63,695
NC00600	Drug Elimination Program	1408	52,500
NC00600	Resident Training	1408	52,500
NC00600	Economic Development Program	1408	41,729
NC00600	Resident Driver Education	1408	15,750
NC00600	Resident/Ind. Partnership	1408	52,500
NC00600	Computer Update	1408	13,650
NC00600	Salary Contract Coordinator	1410	31,500
NC00600	Salary Inspector	1410	29,274
NC00600	Salary Resident Service Coordinator	1410	31,500
NC00600	Accounting and Administration	1410	25,116
NC00600	Resident Participation	1410	5,683
NC00600	Fringe Benefits	1410	29,347
NC00600	Purchase Vehicles	1475	60,020
NC00600	Operations	1406	191,409

Annual Statement Capital Fund Program (CFP) Part III: Implementation Schedule

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
	All funds will be obligated and expended by HUD deadlines.	

	e a 5-Year Action Plan covering capital work items. This statement car action Plan table provided in the table library at the end of the PHA and attaching a properly updated HUD-52834.
	providing an optional 5-Year Action Plan for the Capital (if no, skip to sub-component 7B)
-	one: gram 5-Year Action Plan is provided as an attachment to chment (state name nc006d01.doc
	gram 5-Year Action Plan is provided below: (if selected, l 5 Year Action Plan from the Table Library and insert
B. HOPE VI and Publi Activities (Non-Capital	c Housing Development and Replacement Fund)
HOPE VI and/or public housing de	: All PHAs administering public housing. Identify any approved velopment or replacement activities not described in the Capital Fund
Program Annual Statement.	
Yes No: a) Has the skip to each g b) Status	e PHA received a HOPE VI revitalization grant? (if no, question c; if yes, provide responses to question b for rant, copying and completing as many times as necessary) of HOPE VI revitalization grant (complete one set of ons for each grant)

☐ Yes ⊠ No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year? If yes, list development name/s below:
☐ Yes ⊠ No: d) Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:
☐ Yes ⊠ No: e)	Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:
8. Demolition an	d Disposition
[24 CFR Part 903.7 9 (h)] Applicability of compone] ent 8: Section 8 only PHAs are not required to complete this section.
1. Yes No:	Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If "No", skip to component 9; if "yes", complete one activity description for each development.)
2. Activity Description	on
Yes No:	Has the PHA provided the activities description information in the optional Public Housing Asset Management Table? (If "yes", skip to component 9. If "No", complete the Activity Description table below.)
	Demolition/Disposition Activity Description
1a. Development nan	
1b. Development (pro	
2. Activity type: Der Dispo	
3. Application status	_
Approved _	
· •	ending approval
Planned appli	-
11 1	pproved, submitted, or planned for submission: (DD/MM/YY)
5. Number of units at6. Coverage of action	
Part of the develo	

Total developmen	nt	
7. Timeline for activity:		
a. Actual or projected start date of activity:		
b. Projected en	nd date of activity:	
9. Designation of	f Public Housing for Occupancy by Elderly Families	
·	th Disabilities or Elderly Families and Families with	
Disabilities	<u>, , , , , , , , , , , , , , , , , , , </u>	
[24 CFR Part 903.7 9 (i)]		
	nent 9; Section 8 only PHAs are not required to complete this section.	
1. Yes No:	Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If "No", skip to component 10. If "yes", complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)	
2. Activity Description	on	
Yes No:	Has the PHA provided all required activity description information for this component in the optional Public Housing Asset Management Table? If "yes", skip to component 10. If "No", complete the Activity Description table below.	
Des	signation of Public Housing Activity Description	
1a. Development nam		
1b. Development (pro		
2. Designation type:	,	
Occupancy by	only the elderly	
Occupancy by families with disabilities		
Occupancy by only elderly families and families with disabilities		
3. Application status	(select one)	
Approved; inc	cluded in the PHA's Designation Plan	
Submitted, pe	nding approval	
Planned applie	cation	
<u> </u>	ion approved, submitted, or planned for submission: (DD/MM/YY)	
	his designation constitute a (select one)	
New Designation		
Revision of a pre	viously-approved Designation Plan?	

6. Number of units affected:
7. Coverage of action (select one)
Part of the development
Total development
Total development
10. Conversion of Public Housing to Tenant-Based Assistance
[24 CFR Part 903.7 9 (j)] Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.
Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.
A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act
1. Yes No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)
2. Activity Description Yes No: Has the PHA provided all required activity description information for this component in the optional Public Housing Asset Management Table? If "yes", skip to component 11. If "No", complete the Activity Description table below.
Conversion of Public Housing Activity Description
1a. Development name:
1b. Development (project) number:
2. What is the status of the required assessment?
Assessment underway
Assessment results submitted to HUD
Assessment results approved by HUD (if marked, proceed to next
question)
Other (explain below)
Other (explain below)
3. Yes No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to
block 5.)
4. Status of Conversion Plan (select the statement that best describes the current
status)
Conversion Plan in development
Conversion Plan submitted to HUD on: (DD/MM/YYYY)
Conversion Plan approved by HUD on: (DD/MM/YYYY)

Activities	
	pursuant to HUD-approved Conversion Plan underway
than conversion (selection Units add Units add Units add Requirem Requirem	v requirements of Section 202 are being satisfied by means other ct one) ressed in a pending or approved demolition application (date submitted or approved: ressed in a pending or approved HOPE VI demolition application (date submitted or approved:) ressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved:) ents no longer applicable: vacancy rates are less than 10 percent ents no longer applicable: site now has less than 300 units escribe below)
B. Reserved for Con 1937	nversions pursuant to Section 22 of the U.S. Housing Act of
C. Reserved for Con 1937	nversions pursuant to Section 33 of the U.S. Housing Act of
11. Homeowners [24 CFR Part 903.7 9 (k)]	hip Programs Administered by the PHA
[24 CFR Part 903.7 9 (k)] A. Public Housing	

PHA status. PHAs completing streamlined submissions may skip to component 11B.) 2. Activity Description Yes No: Has the PHA provided all required activity description information for this component in the optional Public Housing Asset Management Table? (If "yes", skip to component 12. If "No", complete the Activity Description table below.) **Public Housing Homeownership Activity Description** (Complete one for each development affected) 1a. Development name: 1b. Development (project) number: 2. Federal Program authority: HOPE I 5(h) Turnkev III Section 32 of the USHA of 1937 (effective 10/1/99) 3. Application status: (select one) Approved; included in the PHA's Homeownership Plan/Program Submitted, pending approval Planned application 4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY) 5. Number of units affected: 6. Coverage of action: (select one) Part of the development Total development **B. Section 8 Tenant Based Assistance** 1. \square Yes \bowtie No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982? (If "No", skip to component 12; if "yes", describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. High performing PHAs may skip to component 12.)

FY 2001 Annual Plan NC006 - HIGH POINT, NORTH CAROLINA Page 45

2. Program Description:

	Will the PHA limit the number of families participating in the section 8 homeownership option?		
number of part 25 or fe 26 - 50 51 to 10	o the question above was yes, which statement best describes the icipants? (select one) ewer participants participants 00 participants an 100 participants		
Se cri	igibility criteria the PHA's program have eligibility criteria for participation in its ction 8 Homeownership Option program in addition to HUD teria? yes, list criteria below:		
12. PHA Community Service and Self-sufficiency Programs [24 CFR Part 903.7 9 (1)] Exemptions from Component 12: High performing and small PHAs are not required to complete this			
	y PHAs are not required to complete sub-component C. n with the Welfare (TANF) Agency		
Ag	hents: he PHA has entered into a cooperative agreement with the TANF gency, to share information and/or target supportive services (as intemplated by section 12(d)(7) of the Housing Act of 1937)?		
If	yes, what was the date that agreement was signed? <u>DD/MM/YY</u>		
Client referrals	efforts between the PHA and TANF agency (select all that apply) aring regarding mutual clients (for rent determinations and		
Coordinate the programs to eli	<u> </u>		
	inister a HUD Welfare-to-Work voucher program ation of other demonstration program		
B. Services and prog	grams offered to residents and participants		

(1) General

a. Self-Sufficiency Policies				
Which, if any of the following discretionary policies will the PHA employ to				
enhance the economic and social self-sufficiency of assisted families in the				
following areas? (select all that apply)				
Public housing rent determination policies				
Public housing admissions policies				
Section 8 admissions policies				
Preference in admission to section 8 for certain public housing families				
Preferences for families working or engaging in training or education				
programs for non-housing programs operated or coordinated by the PHA				
Preference/eligibility for public housing homeownership option				
participation				
Preference/eligibility for section 8 homeownership option participation				
Other policies (list below)				
b. Economic and Social self-sufficiency programs				
Yes No: Does the PHA coordinate, promote or provide any programs				
to enhance the economic and social self-sufficiency of				
residents? (If "yes", complete the following table; if "no"				
skip to sub-component 2, Family Self Sufficiency Programs.				
The position of the table may be altered to facilitate its use.)				

Services and Programs				
Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

(2) Family Self Sufficiency program/s

a.	Partici	pation	Descri	ption

a. Par	rticipation Description			
	Fam	nily Self Sufficiency (FSS) Participa	ation	
Progran	m	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)	
Public 1	Housing			
Section	1 8			
b. 🗌	require the step program	PHA is not maintaining the mind by HUD, does the most receipts the PHA plans to take to ach missize? In size the PHA will take below the PHA will take below.	nt FSS Action Plan address nieve at least the minimum	
1. The	using Act of 1937 (relat	th the statutory requirements o ing to the treatment of income	No. of the contract of the con	
we]	Adopting appropriate	ents) by: (select all that apply) changes to the PHA's public h	ousing rent determination	
	policies and train staff to carry out those policies Informing residents of new policy on admission and reexamination			
	Actively notifying residents of new policy at times in addition to admission and reexamination.			
	Establishing or pursui	ng a cooperative agreement wi		
	Establishing a protoco	of the formation and of the formation of		
	agencies			

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

Other: (list below)

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents 1. Describe the need for measures to ensure the safety of public housing residents (select all that apply) High incidence of violent and/or drug-related crime in some or all of the PHA's developments High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments Residents fearful for their safety and/or the safety of their children Observed lower-level crime, vandalism and/or graffiti People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime Other (describe below) 2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply). Safety and security survey of residents Analysis of crime statistics over time for crimes committed "in and around" public housing authority Analysis of cost trends over time for repair of vandalism and removal of graffiti Resident reports PHA employee reports Police reports Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs Other (describe below) 3. Which developments are most affected? (list below) B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year 1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply) Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities Crime Prevention Through Environmental Design Activities targeted to at-risk youth, adults, or seniors Volunteer Resident Patrol/Block Watchers Program Other (describe below)

C. Coordination between PHA and the police
1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)
Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan Police provide crime data to housing authority staff for analysis and action Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence) Police regularly testify in and otherwise support eviction cases Police regularly meet with the PHA management and residents Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services Other activities (list below) Which developments are most affected? (list below)
D. Additional information as required by PHDEP/PHDEP Plan PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.
 ✓ Yes ☐ No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan? ☐ Yes ☒ No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan? ☐ Yes ☐ No: This PHDEP Plan is an Attachment. (Attachment Filename:)
14. RESERVED FOR PET POLICY
[24 CFR Part 903.7 9 (n)]
15. Civil Rights Certifications [24 CFR Part 903.7 9 (o)]
Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

2. Which developments are most affected? (list below)

16. Fiscal Audit
[24 CFR Part 903.7 9 (p)]
1. Yes No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U S.C. 1437c(h))? (If no, skip to component 17.)
2. Yes No: Was the most recent fiscal audit submitted to HUD?
3. Yes No: Were there any findings as the result of that audit?
4. Yes No: If there were any findings, do any remain unresolved?
If yes, how many unresolved findings remain?
5. Yes No: Have responses to any unresolved findings been submitted to HUD?
If not, when are they due (state below)?
17. PHA Asset Management [24 CFR Part 903.7 9 (q)]
Exemptions from component 17: Section 8 Only PHAs are not required to complete this component.
High performing and small PHAs are not required to complete this component.
1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have not been addressed elsewhere in this PHA Plan?
2. What types of asset management activities will the PHA undertake? (select all that apply)
Not applicable
Private management
Development-based accounting
Comprehensive stock assessment
Other: (list below)
3. Yes No: Has the PHA included descriptions of asset management activities in the optional Public Housing Asset Management Table?
18. Other Information [24 CFR Part 903.7 9 (r)] A. Resident Advisory Board Recommendations

1.		I the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?
2. If y		s are: (if comments were received, the PHA MUST select one) achment (File name)
3. In	Considered con necessary.	the PHA address those comments? (select all that apply) nments, but determined that no changes to the PHA Plan were ged portions of the PHA Plan in response to comments low:
	Other: (list belo	ow)
B. Do	escription of Elec	ction process for Residents on the PHA Board
1.	Yes No:	Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2.	Yes No:	Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to subcomponent C.) NOTE: Appointed by Mayor.
3. De	escription of Resid	dent Election Process
a. Noi	Candidates wer Candidates cou	dates for place on the ballot: (select all that apply) e nominated by resident and assisted family organizations ld be nominated by any adult recipient of PHA assistance n: Candidates registered with the PHA and requested a place on
	Other: (describe	e)
b. Eli	Any head of ho Any adult recip	(select one) f PHA assistance usehold receiving PHA assistance ient of PHA assistance ber of a resident or assisted family organization
c. Eli	igible voters: (sele	ect all that apply)

	All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)		
	Representatives of all PHA resident and assisted family organizations Other (list)		
	ntement of Consistency with the Consolidated Plan h applicable Consolidated Plan, make the following statement (copy questions as many times as		
1. Col	nsolidated Plan jurisdiction: City of High Point, North Carolina		
	e PHA has taken the following steps to ensure consistency of this PHA Plan with Consolidated Plan for the jurisdiction: (select all that apply)		
	The PHA has based its statement of needs of families in the jurisdiction on the		
	needs expressed in the Consolidated Plan/s. The PHA has participated in any consultation process organized and offered by		
\boxtimes	the Consolidated Plan agency in the development of the Consolidated Plan. The PHA has consulted with the Consolidated Plan agency during the		
	development of this PHA Plan. Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)		
	Other: (list below)		
4. The	e Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)		
The City of High Point will continue to work with the Housing Authority of the City of High Point to address public housing needs for its lowest income citizens and to coordinate redevelopment efforts in and around public housing communities. (Drafted from Consolidated Plan from the City of High Point, dated July 1, 2000 – June 30, 2005).			
D. Of	her Information Required by HUD		
	• •		
Use this	s section to provide any additional information requested by HUD.		

Attachments

Use this section to provide any additional attachments referenced in the Plans.

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

OF THE

HOUSING AUTHORITY
OF THE CITY OF HIGH POINT

ADOPTED BY BOARD OF COMMISSIONERS JANUARY 10, 2001

SUBMITTED TO
U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
ON FEBRUARY 14, 2001
WITH THE FY2001 ANNUAL PLAN

ADMISSIONS AND CONTINUED OCCUPANCY POLICY THE HOUSING AUTHORITY OF THE CITY OF HIGH POINT

TABLE ON CONTENTS (Pages 2-3)

, ,	<u>Page</u>
SECTION I - INTRODUCTION 1. MISSION STATEMENT 2. PURPOSE OF POLICY 3. PRIMARY RESPONSIBILITIES OF THE HA 4. OBJECTIVES 5. OUTREACH	1-3
SECTION II - FAIR HOUSING POLICY	4-5
SECTION III - DECONCENTRATION PLAN	6
SECTION IV - ACCESSIBILITY AND PLAIN LANGUAGE	7-8
SECTION V - PRIVACY RIGHTS	9
SECTION VI - DEFINITIONS OF TERMS	10-32
SECTION VII - APPLICATIONS AND OTHER REQUIRED FORMS	33-34
SECTION VIII - APPLICANT SCREENING / SELECTION CRITERIA	35-40
SECTION IX - GROUNDS FOR DENIAL OF ADMISSION	41-44
SECTION X - OCCUPANCY GUIDELINES	45-46
SECTION XI - TENANT SELECTION AND ASSIGNMENT PLAN A. ORGANIZATION OF THE WAITING LIST B. METHOD OF APPLICANT SELECTION C. ORDER OF APPLICANT SELECTION D. ACCEPTANCE / REFUSAL OF OFFER	47-51
SECTION XII - LEASING AND OCCUPANCY OF DWELLING UNITS	52-54
SECTION XIII - RESIDENT TRANSFERS	55-56

ADMISSIONS AND CONTINUED OCCUPANCY POLICY THE HOUSING AUTHORITY OF THE CITY OF HIGH POINT

SECTI		GIBILITY FOR CONTINUED (EXAMINATIONS, & REMAIN	OCCUPANCY, ING FAMILY MEMBERS57-59
A. B. C.	ELIGIBILITY FO	OR CONTINUED Á AMILY MEMBERS AND PRIOR I	
SECTI A. B. C. D.	MINIMUM REN RENT ADJUST INTERIM ADJU	T MENT	MINIMUM RENT60-61
SECTION XVI - LEASE TERMINATION PROCEDURES			
SECTI	ON XVII - CO	MPLAINTS AND GRIEVANC	E PROCEDURE 63
SECTI	ON XVIII - NO	OTICE REQUIREMENTS	64
SECTION XIX - RECORD KEEPING REQUIREMENTS65			
SECTION XX - EXCESS UTILITY CHARGES66			
SECTION XXI - ONE STRIKE POLICY			
APPEI	NDIX #1	DWELLING LEASE	See page 13 of Occupancy Policy
APPEI	NDIX #2	PET POLICY	See page 27 of Occupancy Policy
APPEI	NDIX #3	GRIEVANCE POLICY	See page 4 of Occupancy Policy
APPEI	NDIX #4	TRESPASSING POLICY	See page 62 of Occupancy Policy

SECTION I. INTRODUCTION

1. MISSION STATEMENT: - To provide eligible families and individuals with adequate and affordable housing economic advancement, and homeownership opportunities in a safe, drug-free, suitable living environment without discrimination.

In order to achieve this mission, we will:

- Recognize residents as our ultimate customer;
- Improve Public Housing Authority (PHA) management and service delivery efforts through effective and efficient management of PHA staff.
- Seek problem-solving partnerships with residents, community, and government leadership;
- Apply PHA resources, to the effective and efficient management and operation of public housing programs, taking into account changes in Federal funding.
- 2. PURPOSE OF POLICY The purpose of the Admissions and Continued Occupancy Policy is to establish guidelines for the Public Housing Authority (PHA) staff to follow in determining eligibility for admission to and continued occupancy of Public Housing. The basic guidelines for this policy are governed by requirements of the Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing Admissions and Continued Occupancy are outlined in this policy and these requirements are binding upon applicants, residents and this PHA alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy.

Federal Regulations shall mean those found in 24 Code of Federal Regulations (CFR) Parts 5, and 900.

3. PRIMARY RESPONSIBILITIES OF THE HA:

- A. Informing eligible families of the availability of public housing assistance:
- B. Determining and posting annually the utility allowances;
- C. Receiving applications from families and determining their eligibility for assistance;
- D. Inspecting Public Housing units to determine that they meet or exceed Housing Quality Standards;
- E. Approving leases:
- F. Collecting rent on a monthly basis from tenants;
- G. Annual re-examinations of income, family composition and

re-determination of rent;

- H. Authorizing and processing evictions; and
- Ongoing maintenance and modernization of the public housing inventory.
- **4. OBJECTIVES:** The objectives of this policy are to:
 - A. Promote the overall goal of drug free, decent, safe and sanitary housing by:
 - Ensuring a social and economic mix of residents within each public housing neighborhood in order to foster social stability and upward mobility.
 - Ensuring the fiscal stability of the PHA.
 - Lawfully denying admission or continued occupancy to applicants or tenants
 whose presence in a public housing neighborhood are likely to adversely
 affect the health, safety, comfort or welfare of other residents or the physical
 environment of the neighborhood or create a danger to PHA employees.
 - B. Facilitate the efficient management of the PHA and compliance with Federal Regulations by establishing policies for the efficient and effective management of the PHA inventory and staff.
 - C. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964, and all other applicable Federal laws and regulations to insure that admission to and continued occupancy in public housing are conducted without regard to race, color, religion, creed, sex, national origin, handicap, or familial status.
- **OUTREACH** As much information as possible about Public Housing may be disseminated through local media (newspaper, radio, television, etc.). For those who call the PHA Office, the staff may be available to convey essential information.
 - The PHA may hold meetings with local social community agencies.
 - The PHA may sponsor "Open House" programs within the public housing community to attract potential tenants to view a public housing unit.
 - The PHA may make known to the public, through publications in a newspaper of general circulation as well as through minority media and other suitable means, the availability and nature of housing assistance for lower-income families. The notice shall inform such families where they may apply for Public Housing. The PHA shall take affirmative actions to provide opportunities to participate in the program to persons who because of such factors as race, ethnicity, sex, of household head, age, or source of income, are less likely to apply for Public Housing. When there is a Local Housing Plan pursuant to Section 24 CFR, Part 91 (Comprehensive Housing Affordability Strategy (CHAS), the PHA planned programs will be incorporated in the CHAS.

SECTION II. FAIR HOUSING POLICY

It is the policy of the Housing Authority of the City of High Point (PHA) to comply with all applicable laws relating to Civil Rights, including Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern), any applicable State laws or local ordinances and any legislation protecting the individual rights of tenants, applicants or staff that may subsequently be enacted.

Specifically, the PHA shall not on account of race, color, sex, religion, creed, national or ethnic origin, familial status, disability or handicap, deny any family or individual the opportunity to apply for or receive assistance under HUD's Public Housing Programs, within the requirements and regulations of HUD and other regulatory authorities.

To further its commitment to full compliance with applicable Civil Rights laws, the PHA will provide access to information to public housing residents regarding "discrimination". Also, this subject will be discussed during the briefing session and any complaints will be documented and made part of the applicant's/tenants file.

The PHA shall not, on account of race, color, sex, religion, creed, national or ethnic origin, familial status, disability or handicap:

- (a) Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
- (b) Provide housing which is different from that provided others;
- (c) Subject a person to segregation or disparate treatment;
- (d) Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- (e) Treat a person differently in determining eligibility or other requirements for admission;
- (f) Deny a person access to the same level of services; or
- (g) Deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.

The PHA shall not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets, or families whose head or spouse is a student). Each applicant in a particular group or category must be treated on an individual basis in the normal processing routine.

The PHA will identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, and the Fair Housing Amendments Act of 1988, the PHA will make structural modifications to its housing and non-housing facilities, make reasonable accommodations, or combinations of the two, to permit people with disabilities to take full advantage of the housing program.

If providing a requested accommodation would result in a fundamental alteration in the nature of the program or an undue financial and administrative burden, then the PHA

need not provide that accommodation.

However, the PHA is required to provide any other accommodation that would not result in an undue financial and administrative burden or fundamental alteration of the program.

In making reasonable accommodations or structural modifications for otherwise qualified persons with disabilities, the PHA is not required to:

Make each of its existing facilities accessible, or make structural alternative when other methods can be demonstrated to achieve the same effect.

Make structural alterations that require the removal or altering of a load-bearing member.

Provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below the grade level.

Take any action that would result in a fundamental alteration in the nature of the program.

The PHA will not permit these policies to be subverted to do personal or political favors.

SECTION III. DECONCENTRATION PLAN

With respect to selection of families to lease units in the Public Housing program, selection will be in such a manner as to avoid concentration of the most economic and socially deprived families in one or all of the developments operated by the Housing Authority and to provide for income mixing by bringing higher income tenants into lower income public housing communities and bringing lower income tenants into higher income public housing communities.

The PHA shall categorize assisted tenants in all programs by income in one of the following groups:

• Extremely Low Income Not more than 30% of the area's median income.

• Very Low Income - More than 30% but not more than 50% of the

area's median income.

Lower Income - More than 50% but not more than 80% of the

area's median income.

Over-income - More than 80% of the area's median income.

The area's median income shall be defined by HUD, adjusted for family size and is subject to periodic change.

The PHA shall categorize each applicant for assistance for all programs in the same manner as presented above.

The PHA shall utilize information from these categories and other statistical information concerning income distribution in the PHA's area of operation as may be provided from time to time by the U.S. Department of Housing and Urban Development (HUD) to develop goals designed to achieve the deconcentration and income mixing objectives stated herein and to remain consistent with income targeting distribute percentages as required by HUD.

The PHA shall review these goals periodically and make appropriate adjustments as may be needed when income distributions in the locality change.

Staff responsible for selecting tenants for public housing assistance from the waiting list shall consider income distributions within the community where the unit exists and the goals for that community prior to selecting an applicant for occupancy first, then, shall select in accordance with prevalent preferences established by this Housing Authority.

SECTION IV.ACCESSIBILITY AND PLAIN LANGUAGE

Facilities and programs used by residents must be accessible. Application and management offices, hearing rooms, community center, laundry facilities, craft and game rooms and so on must be available for use by residents with a full range of disabilities. If these facilities are not already accessible (and located on accessible routes), they will be made so, subject to the undue financial and administrative burden test.

Documents intended for use by applicants and residents will be made available in formats accessible for those with vision or hearing impairments. The documents shall be written simply and clearly to enable applicants with learning or cognitive disabilities to understand as much as possible. If required by local law, documents will be translated into languages other than English.

Because some of the concepts that must be described relative to eligibility, rent computation, applicant screening, reasonable accommodation, and lease compliance are complicated, PHA staff will help applicants and residents understand the issues involved by using examples during their verbal explanations.

At the point of initial contact the PHA staff will ask all applicants whether they need some form of communication other than plain language paperwork. Alternative forms of communication might include: sign language interpretation, having materials explained orally by the staff, either in person or by phone, large type materials, information on tape, and having someone (friend, relative or advocate) accompany the applicant to receive, interpret and explain housing materials.

Some applicants will not be able to read (or to read English), so intake staff will be able to read and explain anything that they would normally hand to an applicant to be read or filled out. Applicants who do not read, or understand little English may furnish an interpreter who can explain what is going on. If paid accessibility professionals are used the PHA must pay for such services.

At a minimum the PHA will prepare the following information in plain-language accessible formats:

- Marketing and informational materials
- Information about the application process
- The Application Form
- All form letters, notices, to applicants and residents
- General statement about reasonable accommodation
- Orientation materials for new residents
- The Lease and house rules (if any)
- Guidance or instructions about care of the housing unit
- Information about opening, updating or closing the waiting list
- All information related to applicant's rights (informal hearing, etc.)

SECTION V. PRIVACY RIGHTS

Applicants will be required to sign the Federal Privacy Act Statement that states under what conditions HUD will release tenant information.

Requests for information by other parties must be accompanied by a signed release request in order for the PHA to release any information involving an applicant or participant, unless disclosure is authorized under Federal or State law or regulations. (Reference HUD Form 9886)

VI. DEFINITIONS OF TERMS

Definitions are amended from time to time and are contained in Section 24 CFR, which are incorporated by reference as if fully set out herein. Copies of this regulation are available in the PHA Office.

- 1. ANNUAL INCOME means all amounts, monetary or not which:
 - A. Go to or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member, or
 - B. Are anticipated to be received from a source outside the family during the 12month period following admission or annual re-examination effective date; and
 - C. Which are not specifically excluded,
 - (i) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services:
 - (ii) The net amount, from the operation of a business or profession. Expenditures for business expansion or amortization of capital income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in internal Revenue Service regulations. Any withdrawal of case or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of case or assets invested in the operation by the family;
 - (iii) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in this section. Any withdrawal of case or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of case or assets invested by the family. Where the family has net family assets in excess of \$5000 annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
 - (iv) The amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount of prospective monthly amounts for the delayed start of a periodic amount (except as otherwise provided in this policy);
 - (v) Payments in lieu of earnings such as unemployment and disability compensation, workers' compensation and severance pay (except as otherwise provided in this policy):
 - (vi) Periodic and determinable allowance, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.

- (vii) All regular pay, special pay and allowances of a member of the armed forces (except as otherwise provided in this policy)
- ADJUSTED FAMILY INCOME Adjusted Family Income is the income on which total tenant payment is to be based and means the Total Annual Income less the following allowances:
 - A. A deduction of \$480.00 for each member of the family (other than head of household or spouse) who is:
 - 17 years of age or younger or
 - who is eighteen (18) years of age and a verified full-time student and is disabled or handicapped according to this Section.
 - B. A deduction of \$400.00 for Elderly Family whose head, spouse or sole member is sixty-two (62) years of age or older and/or is handicapped or disabled according to this Section.
 - C. The sum of the following, to the extent the sum exceeds three percent of annual income:
 - (1) Un-reimbursed medical expenses of any elderly family or disabled family;
 - Un-reimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care of auxiliary apparatus.
 - D. Childcare Expenses: Amounts anticipated to be paid by the Family for care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The reasonable amount of charges is determined by the PHA, by conducting surveys of local child are providers. The results are posted in the PHA office.
 - E. Earned Income of Full-Time Student: The first \$480 of earned income of a full-time student.
 - F. Transportation Deduction: Travel expenses in the amount of \$1200 per year for employment, education or training related travel.

No more than one deduction will be allowed each family. Families may qualify for the transportation deduction at their first re-examination on or after 10/01/99.

Note: If the total income less the above allowances results in a rent less than the established minimum rent, the resident's rent will be established at the PHA established minimum rent.

- 3. <u>ADULT</u> An adult is a person who has reached his/her 18th birthday or is under 18 years of age and married (not common law), or minors that have been emancipated by court action.
 - Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.
- 4. <u>BREAK-INS</u> Break-ins mean bona fide attempts at burglary which are reported to the police department and are subject to verification by written police reports furnished by the tenant(s).
- 5. <u>CHILD</u> A member of the family, other than the family head or spouse, who is under 18 years of age.
- 6. CHILDCARE EXPENSES Childcare Expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed or to further his/her education and only to the extent such amounts are not reimbursed. In the case of childcare necessary to permit employment, the amount deducted must be verified and reflect reasonable charges and shall not exceed the amount of income received from such employment. The PHA will not normally determine childcare expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for the children. An example of an exception may be an unemployed adult that is not capable of caring for a child because of some type of disability and/or handicap. The head of household must document the disability/handicap that prevents the adult from providing childcare.
- 7. <u>CHILD CUSTODY</u> An applicant/occupant family who does not have full custody of a child/children may only claim a child as a dependent by the following:
 - A. The applicant/occupant must have primary custody of the child.
 - B. The applicant/occupant must provide sufficient evidence that if the applicant were admitted to public housing the child would reside with the applicant. The same child cannot be claimed by more than one applicant (i.e., counted more than once in order to make two (2) singles eligible).
- 8. <u>COMMUNITY SERVICE</u> Every adult member of a family residing in public housing will be required to perform eight (8) hours of community service each month, or participate in a self-sufficiency program for at least eight (8) hours every month. This requirement does not apply to elderly persons, disabled persons, persons already working, persons exempted from work requirements under state welfare to work programs, or persons receiving assistance under a state program that have not been found to be in noncompliance with such a program.

For the purposes of this policy, community service is the performance of voluntary work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community in which the resident resides. Political activity is excluded. Each adult resident of a public housing development shall be subject to the community service work requirement except individuals who are otherwise exempt. An exempt individual is:

1. 62 years of age;

- 2. Is a blind or disabled individual, as defined under 216(I)(1) or 1614 of the Social Security Act (42.U.S.C. 416(i)(1) 1382c, and who certifies that because of this disability she or he is unable to comply with the service provisions of this subpart, or is a primary caretaker of such individual.
- 3. Is engaged in a work activity.
- 4. Meets the requirements for being exempt from having to engage in a work activity under the state program funded under part A of Title IV of the Social Security Act (42.U.S.C. 601 et seq.) or under any other welfare program of the state in which the HA is located, including a state-administered welfare-to-work program; or
- Is a member of a family receiving assistance or services under a state program funded under part A of Title IV of the Social Security Act (42.U.S.C. 601 et seq.) or under any other welfare program of the state in which the Public housing Agency is located, including a state administered welfare to work program, and has not been found by the state or other administering entity to be in noncompliance with such a program.

Except for residents exempted in preceding sections (1) - (5), each adult resident of a public housing development shall:

- Contribute 8 hours of community service (not including political activities), or
- 2. Participate in an economic self-sufficiency program, as defined herein, for 8 hours per month.
- 3. Perform 8 hours per month of combined activities as described in paragraphs 1 and 2 above.
- 9. <u>DEPENDENT</u> A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student at traditional institutions and vocational training. An unborn child <u>shall not</u> be considered a dependent.
- 10. <u>DISABLED PERSON</u> A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

A person with disabilities means a person whom:

- (1) Has a disability as defined in 42 U.S.C. 423;
- (2) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
 - (a) Is expected to be of long-continued and indefinite duration;
 - (b) Substantially impedes his / her ability to live independently, and
 - (c) Is of such a nature that the ability to live independently could be improved by more suitable housing conditions; or
 - (d) Has a developmental disability as defined in 42 U.S.C. 6001.
- (3) Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;

- (4) For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and
- (5) Means "individual with handicaps" as defined, for purposes of reasonable accommodation and program accessibility for persons with disabilities.

The PHA may verify a person's disability only to the extent necessary to ensure that applicants are qualified for the housing for which they are applying; that applicants are qualified for deductions used in determining adjusted income; that applicants are entitled to any preference they may claim; and that applicants who have requested a reasonable accommodation. A PHA may not require applicants to provide access to confidential medical records in order to verify a disability nor may the PHA require specific details as to the disability. The PHA may not ask what the specific disability is.

- 11. <u>DISABILITY ASSISTANCE EXPENSE</u> Reasonable expenses that are anticipated, during the period for which Total Annual Family Income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.
- 12. <u>DISPLACED FAMILY</u> A family in which each member, or whose sole member, is a person displaced by government action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
- 13. <u>ECONOMIC SELF-SUFFICIENCY PROGRAM</u> Any program designed to encourage, assist train, or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, employment training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (including a substance abuse or mental health treatment program), or other work activities.
- 14. <u>ELDERLY FAMILY</u> A family whose head or spouse or whose sole member is at least sixty-two (62) years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.
- 15. ELDERLY PERSON A person who is at least sixty-two (62) years of age.
- 16. <u>EMERGENCIES</u> Displacement by disaster, such as fire or flood; displacement by government action, domestic violence, displacement to avoid reprisals; displacement by hate crimes, or as further defined by the Executive Director.
- 17. <u>EXTREMELY LOW INCOME FAMILY</u> A family whose annual income doesn't exceed thirty percent (30%) of the median income for the area, as determined by HUD.

At least 40% of the admissions to the Public Housing Program in each fiscal year must be extremely low-income.

- 18. <u>EXCESS UTILITY CHARGES</u> The resident will be required to pay the cost of utilities consumed in excess of the amounts shown on the Schedule of Excess Utility Charges duly approved by the Board of Commissioners of the HPHA. (See posted charges.)
- 19. <u>EVIDENCE OF CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS</u> The documents that must be submitted to evidence citizenship or eligible immigration status.
- 20. <u>FAMILIAL STATUS</u> A single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy (unit size) the same as single persons, and are only entitled to a one bedroom unit. Once the child is born and/or the custody is obtained, the family will qualify for a two-bedroom unit and authorized to transfer as outlined in the Transfer Section.
- 21. FAMILY The term "Family" as used in this policy means:

A family may be a single person or a group of persons. Discrimination based on familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation. By definition, a family must contain a competent adult of at least 18 years of age, or if under the age of 18 years has been declared emancipated by court order,

The term family also includes: Elderly family, a family whose head or spouse or whose sole member is at least 62 years of age, disabled, or handicapped, near elderly family, disabled family, displaced person, single person who is not an elderly or disabled person, or a person with disabilities, the remaining member of a tenant family, a foster care arrangement, or a kinship care arrangement. Other persons, including members temporarily absent, a child temporarily placed in a foster care or a student temporarily away at college, may be considered a part of the applicant family's household if they are living or will live regularly with the family.

Live-in aides may also be considered part of the applicant family's household. However, live-in aides are not considered family members and have no rights of tenancy or continued occupancy.

For purposes of continued occupancy: the term family also includes the remaining member of a resident family with the capacity, as defined by North Carolina law, to execute a lease.

Note

A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family may not be provided (for public housing and other project-based assistance) a housing unit with two or more bedrooms.

22. <u>FEDERALLY-MANDATED INCOME EXCLUSIONS</u>

- A. Value of allotment provided to an eligible household under the Food Stamp Act of 1977.
- B. Payments under the Domestic Volunteer Services Act of 1973 are excluded. These programs include:
 - 1. VISTA Volunteers in Service to America
 - 2. RSVP Retired Senior Volunteer Program
 - 3. Foster Grandparents
 - 4. Senior Companions Programs

- C. Payments or allowances made under the Department of Health and Human Services' Low-income Home Energy Assistance Program.
- D. Payments received under the programs funded in whole or in part under the Job Training Partnership Act (JTPA).
- E. AmeriCorps Living Allowance (this falls under JTPS).
- F. Indian Settlements/Trusts –

Payments received under the Maine Indian Claim Settlement Act of 1980. (Pub. L 98-420,94 Stat.1785)

Income derived from the disposition of funds of the Grand River Bank of Ottawa Indians.

The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commissions or the Grant of Claims or from funds held in trust for an Indian tribe by the Secretary of the Interior.

- G. Title IV of the Higher Education Act of 1965 Amounts of scholarships funded under Title IV, including awards under the Federal Work Study Program or under the Bureau of Indian Affairs Student Assistance.
- H. Agent Orange Settlements Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established in the Agent Orange product liability litigation. (M.D.L. No.382 E.D.N.Y.)
- Childcare and Development Block Grant Act of 1990 The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child care and Development Block Grant Act of 1990.
- J. Earned Income Tax Credit Refunds
- K. Title V of the Older Americans Act –

Payments under Title V are excluded. This is the Senior Community Service in Employment Program (SCSEP) funded through the Department of Labor.

This program is administered by national contractors such as:

> Green Thumb

> US Forest Services

> NCOA - National Council on Aging

- > Urban League
- > AARP American Association of Retired Persons
- > National Council of Senior Citizens (Sometimes called Senior Aides)
- > NCBA National Caucus for Black Aged
- > National Association for The Spanish Elderly

State coordinators for Title V can provide the list of additional contractors who administer Title V.

Even if there is 90% federal and 10% local funding, 100% of the income funded through Title V is excluded.

23. <u>FLAT RENTS</u> – The Housing Authority of the City of high Point (HPHA) has established Flat Rents. Each year public housing families may choose to have their rent based on the Flat Rent formula.

The Housing Authority has established a flat rent for each public housing apartment in an amount that is posted in the administrative and project offices of the housing Authority. A copy of the flat rents shall be provided to any resident upon request. Flat rents will be subject to periodic change without prior notification to the residents. Families may choose to have their rent based on their income or pay the flat rent established for their dwelling. Families that have chosen to pay the flat rent shall have their income reexamined at three-year intervals. In the event the resident experiences a decrease in income and would experience a hardship, as defined in Section 4, if they were required to continue to pay the flat rent, the resident may report the change and request that their rent be changed to an income based. Unless the head of household specifies in writing, the Housing Authority will automatically switch a family from an income based rent to a flat rent and from a flat rent to an income based rent when it appears that the family would qualify and when it would result in the resident paying the lowest monthly rental amount. (Refer to Appendix 1)

- 24. <u>FOSTER CHILDREN</u> With the prior written consent of the PHA, a foster child may reside on the premises. The factors considered by the PHA in determining whether or not consent is granted may include:
 - A. Whether the addition of a new occupant may require a transfer of the family to another unit, and whether such units are available.
 - B. The PHA's obligation to make reasonable accommodation for handicapped persons.
- 25. <u>FULL-TIME STUDENT</u> A member of a family (other than the head of household or spouse) who is carrying a subject load which is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with diploma or certificate program, as well as an institution offering a college degree. Verification will be supplied by the attended educational institution.
- 26. <u>DISABILITY ASSISTANCE EXPENSE</u> Reasonable expenses that are anticipated, during the period for which Total Annual Family Income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.
- 27. <u>HANDICAPPED INDIVIDUAL</u> A person having a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

"Physical or mental impairment" includes – any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems; neurological: musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hernia and lymphatic; skin; and endocrine; or

Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and condition as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, heart disease, diabetes, mental retardation, and illness drug addition and alcoholism.

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

"Has a record of such impairment" means has a history of, or has been mis-classified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Is regarded as having an impairment" means – Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;

Has a physical or mental impairment that substantially limits one or more major activities only as a result of the attitudes of others toward such impairment; or

Has none of the impairments defined but is treated by a recipient as having an impairment.

- 28. <u>HARDSHIP (MINIMUM RENT) EXEMPTION/SUSPENSION</u> Financial hardship status (suspension) will be granted immediately upon request to families for a period of 90 days, pending verification of one or more of the following circumstances:
 - A. The family has lost eligibility for, or is awaiting an eligibility determination for a Federal, State, or Local assistance program.
 - B. The family would be evicted as a result of the imposition of the minimum rent.
 - C. The income of the family has decreased due to changed circumstances, including loss of employment;
 - D. A death in the household has occurred; and
 - E. Other circumstances as may be determined by the U.S. Department of Housing and Urban Development or the Housing Authority has occurred.

When a family requests a hardship exception from minimum rent, the rent is suspended immediately. All suspended rent will result in an investigation to determine if the hardship will be short term or long term. Short term hardship is defined as – "at least one of the five circumstances mentioned herein applies to the family and it can be verified that a hardship exists, but the circumstances are likely to be temporary) not more than 90 days.)" The family will be given a 90-day grace period that will result in the family not paying rent.

After the 90-day grace period has expired the family is responsible for repaying the suspended minimum rent unless it is determined the hardship is a long-term hardship. A reasonable repayment agreement must be offered. A long-term hardship is defined as "at least one of the five circumstances mentioned herein applies to the family and it can be verified that a hardship exists with the circumstances likely to exist for more than 90 days." The minimum rent is suspended until the circumstances change in such a way that they no longer qualify for a hardship exemption. Long term hardship exemptions are not subject to a repayment agreement.

29. <u>HAZARDOUS DUTY PAY</u> – Pay to a family member in the Armed Forces away from home and exposed to hostile fire.

- 30. <u>HEAD OF HOUSEHOLD</u> The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. Also, the head of household is primarily responsible and accountable for the family, particularly in regard to lease obligations.
- 31. <u>HOUSING QUALITY STANDARDS (HQS)</u> Standards for safe and habitable housing established by Department of Housing and Urban Development and the Housing Authority. The PHA will maintain public housing units in compliance with HQS standards that meet or exceed HQS.
- 32. <u>IMPUTED WELFARE INCOME</u> The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

Specified welfare benefit reduction is a reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program: or because of welfare agency sanction agency a family member for noncompliance with a welfare agency requirement to participate in an economic self sufficiency program.

A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency) plus the total amount of other annual income.

The amount of the imputed welfare income is offset by the amount of additional income a family received that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

The PHA may not include imputed welfare income in annual income if the family was not assisted resident at the time of sanction.

- 33. <u>INCOME EXCLUSIONS</u> Annual income does not include such temporary, non-recurring or sporadic income as the following:
 - Income from employment of children (including foster children) under the age of 18 years.
 - Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).
 - Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses.
 - Amounts received by the family specifically for or in reimbursement of, the cost of medical expenses for any family member.
 - Income of a live-in aide.
 - The full amount of student financial assistance paid directly to the student or to the educational institution.
 - The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

- Amounts received under training programs funded by HUD.
 - (a) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).
 - (b) Amounts received by a participant in other publicly assisted programs that are specifically for or to reimbursement of out-of-pocket expenses incurred (special equipment, clothing transportation, child care, etc.), and which are made solely to allow participation in a specific program.
 - (c) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fore patrol, hall monitoring, lawn maintenance, and resident initiative coordination and a tenant serving as a member of the PHA's governing Board. No resident may receive more than one such stipend during the same period of time.
 - (d) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment-training program.
- Temporary, nonrecurring or sporadic income (including gifts.)
- Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
- Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse).
- Adoption assistance payments in excess of \$480 per adopted child.
- Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.
- Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
- Amounts paid by a state agency to a family with a member who has a developmental
 disability and is living a t home to offset the cost of services and equipment needed to
 keep the developmentally disabled family member at home.
- Amounts specifically excluded by any other federal statute from consideration as
 income for purposes of determining eligibility or benefits under a category of
 assistance programs that includes assistance under any program to which the
 exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the
 Federal Register and distributed to PHAs and housing owners identifying the benefits
 that qualify for this exclusion. Updates will be published and distributed when
 necessary.
- 34. <u>INCOME TARGETING</u> (See Section III, De-concentration Plan on Page 6)

- 35. INFANT A child under the age of two years.
- 36. <u>INTERIM REDETERMINAITON OF RENT</u> Changes of rent between admissions and reexaminations and the next succeeding reexaminations.
- 37. INS The United States Immigration and Naturalization Service.
- 38. <u>LIVE-IN AIDE</u> A person who resides with an elderly person, a near elderly person, or a person with disabilities.
 - Is determined by the PHA to be essential to the care and well-being of an elderly person, a near elderly person, or a person with disabilities.
 - Is not obligated for support of the person(s).
 - Would not be living in the unit except to provide supportive services. The income of a Live-in aide that meets these requirements is not included as income to the tenant family.
 - Relatives are not automatically excluded from being live-in aides, but they must meet
 all of the elements for live-in aide described above. They must also sign a statement
 prior to moving in relinquishing all rights to the unit as the remaining member of a
 resident family.
 - A live-In-Aide will be required to meet PHA's screening requirements with respect to past behavior especially:
 - (a) A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other tenants or neighbors;
 - (b) Criminal activity such as crimes of physical violence to persons or property and other criminal acts including drug-related criminal activity which would adversely affect the health safety, or welfare of other residents or staff or cause damage to the unit or the development; and
 - (c) A record of eviction from housing or termination from residential programs.
 - Live-In aides are not subject to Non-Citizen Rule Requirements.

A live-In-aide must be approved in advance, by the PHA and must meet the eligibility requirements for public housing occupancy. The PHA has the right to disapprove a request for a live-in aide based on eligibility criteria.

- 39. <u>LOWER INCOME FAMILY</u> a family whose annual income does not exceed eighty percent (80%) of the median income for the area, as determined by HUD.
- 40. MEDICAL EXPENSE Those necessary medical expenses, including medical insurance premiums that are anticipated during the period for which annual income is computed, and that are not covered by insurance. Medical expenses, in excess of three percent (3%) of annual income, are deductible from income by elderly families only.
- 41. <u>MILITARY SERVICE</u> Military Service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard, and, since July 29, 1945, the commissioned corps of the United States Public Health Service.

42. <u>MINIMUM RENT</u> – The minimum rent for families whose head or spouse is elderly, disabled or handicapped will be \$25 per month and will remain at that level unless otherwise changed by the Board of Commissioners.

As approved under the "Moving to Work" Program, the current minimum Rent for all other families is \$100 per month.

- 43. <u>MINOR</u> A "minor" is a person under eighteen years of age. Provided, that a person under eighteen years of age and has been declared "emancipated" by court action shall not be considered a minor. (An unborn child may not be counted a minor).
- 44. <u>MIXED FAMILY</u> A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.
- 45. MONTHLY ADJUST INCOME One-twelfth of Adjusted Annual Income.
- 46. <u>MONTHLY INCOME</u> One twelfth of Annual Income. For purpose of determining priorities based on an applicant's rent as a percentage of family income, family income is the same as monthly income.
- 47. <u>NATIONAL</u> A person who owes permanent allegiance to the United States, for example, as a result of birth of a United States territory or possession.
- 48. <u>NEAR ELDERLY</u> A family whose head or spouse or "sole member" is at least fifty years of age, but below the age of sixty-two.
- 49. NET FAMILY ASSETS Net Family Assets means the net cash value after deducting reasonable costs that would be incurred in disposing of real property, checking and savings accounts, stocks, bonds, cash on hand, and other forms of capital investment, excluding interest in Indian trust land and excluding equity accounts in HUD home ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, this PHA shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or Tenant received important consideration not measurable in dollar terms.
- 50. NONCITIZEN A person who is neither a citizen nor national of the United States.
- 51. OVERINCOME FAMILY A family whose annual income is more than eighty percent (80%) of the median income for the area, as determined by HUD.
- 52. PERMANENT ABSENCE OF ADULT MEMBER

If the Head of Household leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will

return in less than 180 consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated.

- Absence due to Incarceration. If the sole member is incarcerated for more than 180 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for more than 180 consecutive days. The HA will determine if the reason for incarceration is for drug-related or violent criminal activity.
- Foster Care and Absences of Children. If the family includes a child or children temporarily absent from the home due to placement in foster care, the HA will determine from the appropriate agency when the child/children will be returned to the home.

Familial Relationships. The following verifications will always be required if applicable:

(a) Verification of relationship: Official identification showing names
Birth Certificates Baptismal certificates

(b) Verification of guardianship is: Court-ordered assignment
 Affidavit of parent School records
 Verification from social service agency

- Verification of Permanent Absence of Adult Member. If an adult member who was formerly a member of the household is reported permanently absent by the family, the HA will consider any of the following as verification:
 - (a) Husband or wire institutes divorce action.
 - (b) Husband or wife institutes legal separation.
 - (c) Order of protection/restraining order obtained by one family member against another.
 - (d) Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, of available.
 - (e) Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
 - (f) If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.
- 53. <u>PET POLICY</u> A resident may own or have present, a common household pet in accordance with the Pet Policy established by the Housing Authority of the City of High Point. (Refer to Appendix #2 for Pet Policy.)
- 54. PHASE-IN PERIOD OF NEWLY EMPLOYED INCOME

There will be a two-year phase-in period in any rent increases for a newly employed family. This phase-in applies when incomes of newly employed families, (and have been unemployed for at least one year) increases and there is a resulting increase in rent and their rental contribution. For the initial 12-month period, the family's rent will not be increased. For the second 12-month

period, the family's rent can be increased by the amount representing up to 50 percent of the total rent increase normally applicable in the absence of this provision. In the third year, the balance of the rent increase can be phased in.

Previously unemployed includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

The disallowance of increased income of an individual family member is limited to a lifetime 48-month period. It only applies for a maximum of twelve months for a disallowance of one hundred percent (100%) of income, and a maximum of twelve months for disallowance of fifty percent (50%) of income during the 48-month period starting from the initial exclusion.

- 55. <u>PUBLIC HOUSING AUTHORITY (PHA)</u> Any State, County, Municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development of operation of housing for lower income families.
- 56. <u>RECERTIFICATION</u> Re-certification is sometimes called reexamination. The process of securing documentation which indicates that tenants meet the eligibility requirements for continued occupancy.
- 57. <u>RE-EXAMINATION DATE</u> The date on which any rent change is effective would be effective if required as a result of the annual re-examination of eligibility rent. The re-examination date is the anniversary date of admission.
- 58. REMAINING MEMBER OF THE RESIDENT FAMILY The person(s) of legal age remaining in the public housing unit after the person(s) who signed the lease has (have) left the premises, other than by eviction, who may or may not normally qualify for assistance on their own circumstances. An individual must occupy the public housing unit to which he claims head of household status for one year before becoming eligible for subsidized housing as a remaining family member. This person must complete forms necessary for housing within ten days from the departure of the leaseholder and may remain in the unit for a reasonable time pending the verification and grievance process. This person must, upon satisfactory completion of the verification process, then execute a new lease and cure any monetary obligations in order to remain in the unit.

The PHA will not hold remaining family members (other than head or spouse) responsible for any portion of the arrearage incurred prior to the remaining member attaining age 18.

Any person who claims himself / herself as a remaining member shall, in the event that the PHA declares him / her ineligible for remaining member status, be entitled to the grievance process upon notice to him or her that she is not considered to be a remaining member of the household. This grievance process must be requested in writing within ten days from the date of the departure of the head of household by the person requesting remaining member status. In the interim time between the time of the request for the grievance process and the decision by the hearing officer, all rent which was due pursuant to the lease, shall be deposited into an escrow account with the PHA under the same provisions as those relating to tenants escrow account with the PHA under the same provisions as those relating to tenants requesting a grievance hearing relating to rent under the grievance process. The PHA does not recognize the person as a tenant by giving him or her the opportunity for a grievance hearing. A remaining member shall not be considered to be a tenant until such time as a new lease is executed by the PHA and the person granted tenant status after the verification status.

- 59. <u>RESIDENT CHOICE</u> Families may choose rental payments annually based on either a flat rent or the income-based rental method. Tenants may choose to pay the income-based rental payment, which does not exceed 30 percent (30%) of their adjusted monthly income.
 - Families choosing the flat rent have their incomes reviewed every three years. In the event a family's income decreases due to financial hardship, tenants may elect to pay an income-based rent because the higher flat rent is no longer affordable.
- 60. <u>SINGLE PERSON</u> A person who lives alone, or intends to live alone and who does not qualify as an elderly family, or a displaced person, or as the remaining member of a Tenant family.
- 61. SPOUSE A spouse is the legal husband or wife of the head of the household.
- 62. <u>TANF</u> Temporary Assistance to Needy Families.
- 63. <u>TEMPORARILY ABSENT FAMILY MEMBERS</u> Any person(s) on the lease that is not living in the household for a period of more than thirty (30) days is considered temporarily absent.
- 64. <u>TENANT RENT</u> The amount payable monthly by the Family as rent to the PHA. Where all utilities (gas, water and electricity) are supplied by the PHA, Tenant Rent equals Total Tenant Payment or minimum rent.

The monthly rent that is payable by the tenant must be paid in full, no partial payments will be accepted.

65. TOTAL ANNUAL FAMILY INCOME – Total Annual Family Income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, four the 12-month period following the effective date of initial determination or re-examination of income, exclusive of certain other types of income specified in this policy.

Total Annual Family Income includes, but is not limited to, the following:

- a. The full amount, before any payroll deduction, of wages and salaries, and overtime pay, including compensation for personal services (such as commissions, fees, tips and bonuses):
- b. Net income from the operation of a business or profession. (Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining New Income.) An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or other assets from the operation of a business or profession will be included in Income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
- c. Interest dividends and other net income of any kind from real or personal property. (For this purpose, expenditures for amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be deducted to determine the net income from real or personal property). An allowance for depreciation is permitted only as authorized in Paragraph b of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets

invested by the family. Where the family has Net Family Assets in excess of \$5,000.00, Annual Assets or a percentage of the value of such assets based on the current passbook savings rate as determined by HUD.

- d. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment; (excluding lump sum supplemental security income (SSI) and Lump Sum Social Security Benefits (SS).
- e. Payments in lieu of earnings, such as unemployment and disability compensation, social security benefits, workmen's compensation and severance pay.
- f. Periodic and determinable allowances, such as alimony, child support payments, and regular contributions or gifts, including amounts received from any persons not residing in the dwelling. If the payments actually received are different than the determined amount, rent can be adjusted in accordance with the dwelling lease.
- g. All regular pay, special payments and allowances (such as longevity, overseas duty, rental allowances for dependents, etc.) received by a member of the Armed Forces (whether or not living in the dwelling) who is head of the family, spouse, or other family member whose dependents are residing in the unit. (See definition of "Hazardous duty pay" on Page 21.)
- h. Payments to the head of the household for support of a minor or payments nominally to a minor for his support but controlled for his benefit by the head of the household or a resident member other than the head, who is responsible for his support.
- i. Veterans Administration compensation (Service Connected Disability or Death Benefits.)

If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.

Residents that receive lump-sum payments that are included as income and fall in the categories listed above, (excluding Lump Sum Supplemental Security Income (SSI) and Lump Sum Social Security Benefits (SSI), must report the income to the PHA as soon as possible but no later than ten calendar days after receipt of the funds and the applicable portion of the payment that is due as back rent is due fourteen (14) days after the PHA notifies the family of the amount due.

Unreported Income: If a tenant fails to report income the tenancy may be terminated under the terms of the PHA's lease. If the unreported income was unintentional by the tenant, the tenant will be billed for the amount due the PHA and the amount will be payable within fourteen (14) days. If the payment cannot be made in one payment, the tenant may request the PHA to approve a repayment schedule. Any repayment agreement must be in writing and signed by the Tenant and a PHA representative.

- 66. <u>TOTAL TENANT PAYMENT (TTP)</u> The TTP for families participating in the Public Housing Program must be the greater of:
- 30 percent (30%) of family adjusted income;
- 10 percent (10%) of family monthly income;
- \$100, which is the current minimum rent set by the PHA, or the flat rent. The resident may elect the flat rent in lieu of the rent calculated in the paragraph above.

As approved under the "Moving to Work" Program the current minimum rent for all families (except elderly, disabled or handicapped) is \$100 per month. This will increase for these families to \$150 per month effective 01/01/2001.

67. <u>UTILITIES</u> – Utilities may include water, electricity, gas, other heating refrigeration and cooking, fuels, trash collection, and sewerage.

<u>In</u> the event the Family exceeds the utility usage allowed by the HA, the family will be charged for the excess usage.

Telephone and cable television service is not a utility.

- 68. <u>VERY LOW-INCOME FAMILY</u> A Very Low-Income Family means a family whose annual income does not exceed fifty (50% percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, as determined by the Department of Housing and Urban Development.
- 69. <u>WAGE EARNER</u> A person in a gainful activity who received any wages. Said wages or pay covers all types of employee compensation including salaries, vacation allowance, tips, bonuses, commissions and unemployment compensation. The terms "Wage Earner" and "Worker" are used interchangeably.
- 69. <u>WELFARE ASSISTANCE</u> Welfare or other payments to families or individuals based on need, that are made under programs funded, separately or jointly, by federal, state or local governments.

SECTION VII. APPLICATIONS AND OTHER REQUIRED FORM

1. <u>How to Apply</u> – Families wishing to apply for Public Housing shall be required to complete an application and other required forms. All applications must be signed and dated by the applicant and spouse, and all adult family members, if possible.

Applications will be accepted at 500 E. Russell Avenue, High Point, North Carolina, 27260. On Tuesdays and Thursdays from 10:00 A.M. until 4:00 P.M. (excluding holidays).

Applications will be taken from elderly, handicapped, or disabled persons Monday – Friday from 10:00 A.M. to 4:00 P.M. (excluding holidays).

Individuals who have a physical impairment which would prevent them from completing an application in person may call the PHA to make special arrangements to complete their application. A telecommunication device for the deaf (TDD) (336-887-2661) is available for the deaf.

Applicants will be advised that they are required to keep the PHA advised at all times of their mailing address and the current family status.

If an applicant claims they did not receive a letter mailed by the PHA, that requested the applicant to provide information or to attend an interview, the PHA will determine whether the letter was returned to the PHA. If the letter was not returned to the PHA, the applicant will be assumed to have received the letter.

2. <u>Closing of Application Taking</u> – If the PHA is taking applications, the PHA may suspend the taking of applications if the waiting list is such that additional applicants would not be able to occupy a public housing unit within the next 12 months period. Application taking may be suspended by the bedroom size, if applicable. The PHA will make known to the public through publication in a newspaper of general circulation, and other suitable means the fact that applications for public housing units are being suspended.

To reach persons who cannot read the newspapers, the PHA will distribute fact sheets to the broadcasting media.

3. <u>Opening of Application Taking</u> – When the PHA decides to start taking applications, the waiting list may be opened by bedroom size.

The PHA will make known to the public through publication in a newspaper of general circulation, and other suitable means the availability and nature of housing assistance for eligible families.

The Notice must contain the following:

- A. The PHA will publish the date applications will be accepted and the location where applications can be completed.
- B. Briefly describe the Public Housing Program.
- C. State that applicants for Public Housing must specifically apply for the Public Housing Units and that applicants for Public Housing may also apply for the Section 8 Program, if applicable, and they will not lose their place on the Public Housing waiting list if they also apply for Section 8 assistance.

(For this to be applicable the PHA must be accepting applications for Section 8 assistance.)

D.	To reach persons who cannot read the newspapers, the PHA will distribute fact sheets to the broadcasting media.

SECTION VIII. APPLICANT SCREENING / SELECTION CRITERIA

In cooperation with local, state, and federal law enforcement officials and court the PHA conducts extensive screening of applicants prior to providing assistance. Such screening includes: reviewing police and court records, credit payments history, and landlord references, checking with probation officers, and local social service providers. Such screening will be conducted for all household members, 16 years of age or older to ascertain past drug or criminal activity.

The Housing Authority of the City of High Point (PHA) will admit as residents to its low-rent developments, applicants who, at the time of admission, meet all of the following requirements:

- (1) Who qualify as a family as defined by the PHA in this policy.
- (2) Whose annual income does not exceed the applicable income limits for the admission as established by the Department of Housing and Urban Development.
- (3) Whose family composition conforms to the occupancy standards that are appropriate to the vacant unit.
- (4) Whose past performance in meeting financial obligations, especially rent, is satisfactory.
- (5) Who have no record of the disturbance of neighbors, destruction of property, living or housekeeping habits from prior residences that would adversely affect the health, safety or welfare of other residents or the community.
- (6) Who have no history of criminal activity involving crimes of physical violence to persons, property, or criminal acts that would adversely affect the health, safety or welfare of other residents of the community.
- (7) Who are at least 18 years of age or older. If under the age of 18, the applicant must submit proof of emancipation.
- (8) Who do not owe rent or other charges to any PHA or to any Section 8 Program. If the applicant owes any PHA money from previous occupancy (move-out balance debt), this debt must be paid prior to the applicant's application being approved for housing.
- (9) Who have not had their lease terminated by the PHA within the past three (3) year period, for reasons other than nonpayment of rent and/or other charges. After the three (3) year period has elapsed, the Executive Director or his designee will review applications prior to their approval.
- (10) Who provides a Social Security number for all family members, age 6 or older, or can document and certify that they do not have a Social Security number.
- (11) Who are citizens or non-citizens who have eligible immigration status in one of the following categories.
 - (a) A non-citizen lawfully admitted for permanent residence, as defined by section 101(a)(20) of Immigration and Nationality Act (INA), as 1101(1)(20 and 110(a)(15), respectively (immigrants). This INA (8 U.S.C. 1160 or 1161),

- (Special agricultural worker) who has been granted lawful temporary resident status).
- (b) A non-citizen who entered the U.S. before January 1, 1972 or such later date as enacted by law, and has continuously maintained residence in the U.S. since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under Section 249 of the (INA)(8 U.S.C.1259)
- (c) A non-citizen who is lawfully present in the U.S. pursuant to an admission under Section 207 of the INA (9 U.S.C. 1157 (refugee status); pursuant to the granting of asylum (which has not been terminated) under Section 208 of the INA (8 U.S.C. 1158) (asylum status); or as a result of being granted conditional entry under Section 203 (a)(7) of the INA (8 U.S.C. 1153(a)(7) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion, or because of being uprooted by catastrophic national calamity;
- (d) A non-citizen who is lawfully present in the U.S. as a result of an exercise or reasons deemed strictly in the public interest under Section 212(d)(5) of the INA (8 U.S.C. 1182(2)(5) parole status);
- (e) A non-citizen who is lawfully present in the U.S. as a result of the Attorney General's withholding deportation under section 2543(h) of the INA (8 U.S.C. 1253(h) threat to life or freedom; or
- (f) A non-citizen lawfully admitted for temporary or permanent residence under Section 245A of the INA (8 U.S.C. 1255A) (amnesty granted under INA 245A)

During screening the PHA will require applicants to demonstrate ability to comply with essential provisions of the lease as summarized below:

- 1. All applicants must demonstrate through an assessment of current and past behavior of the ability:
 - (a) To pay rent and other charges as required by the lease in a timely manner:
 - (b) To care for and avoid damaging the unit and common areas;
 - (c) To use facilities and equipment in a reasonable way;
 - (d) To create no health, or safety hazards, and to report maintenance needs,
 - (e) Not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
 - (f) Not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff; and not to engage in drug-related criminal activity on or off the premises;
 - (g) To comply with necessary and reasonable rules and program requirements of HUD and the PHA;
 - (h) To comply with health and safety codes.
- 2. The PHA will check the applicant's ability to comply with essential lease requirements.
 - (a) Applicant ability and willingness to comply with the essential lease requirements will be checked in accordance with PHA's applicant screening. Information to be

considered in completing applicant screening shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application, in present and prior housing.

- (b) The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:
 - Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare;
 - Adversely affect the physical environment or financial stability of the project;
 - Violate the terms and conditions of the lease;
 - Require services from PHA staff that would alter the fundamental nature of PHA's program.
- (c) PHA will conduct a detailed interview of all applicants using an interview checklist. The checklist is part of the screening procedures used in support of this policy.
- (d) Payment of funds owed to any PHA is part of the screening evaluation. Payment of outstanding balances is an opportunity for the applicant to demonstrate an improved track record. Any balance owed to any PHA for any program must be paid in full prior to the applicant being determined eligible for assistance.
- (e) PHA will complete a criminal background check on all applicants including other family members 16 years of age and older.
- (f) All applicants are required to attend a pre-occupancy interview.
- (g) PHA's examination of relevant information regarding past and current habits or practices will include, but is not limited to, an assessment of:
 - The applicant's past performance in meeting financial obligations, especially rent.
 - A record of disturbance of neighbors (disturbances sufficient to warrant a
 police call) destruction of property, or living, or housekeeping habits at
 present or prior residences which may adversely affect the health, safety,
 or welfare of other tenants or neighbors.
 - A history of criminal activity on the part of any family member involving crimes of physical violence to persons or property, and other criminal acts including drug-related criminal activity which would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or the development.
 - A record of eviction from housing (taking into account date and circumstances).
 - An applicant's ability and willingness to comply with the terms of PHA's lease.

- An applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowance, family composition or rent will result in rejection.
- Applicants must be able to demonstrate the ability and willingness to comply with the terms of PHA's lease, either along, or with assistance which they can demonstrate that they have, or will have at the time for admission. Availability of assistance is subject to verification by the PHA.
- 3. Screening applicants who claim mitigating circumstances.
 - (a) If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be factored into PHA's screening assessment of the applicant, mitigating circumstances must be verified.
 - (b) Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior, which when verified, would indicate both:
 - The reason for the unsuitable rental history and/or behavior;
 - That the reason for the unsuitable rental history and behavior is no longer in effect or is under control and applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.
 - (c) If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition or course of treatment, PHA shall have the right to refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. PHA shall also have the right to request further information reasonably needed to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquires will be limited to the information necessary to verify the mitigating circumstance or, in the case of a person with disabilities to verify a reasonable accommodation.
 - (d) Examples of mitigating circumstances might include:
 - Evidence of successful rehabilitation;
 - Evidence of the applicant family's participation in social service or other appropriate counseling service.
 - Evidence of successful and sustained modification of previous disqualifying behavior.
 - (e) Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. PHA will consider such circumstances in light of:
 - The applicant's ability to substantiate through verification the claim of mitigating circumstances and his/her prospects for improved future behavior; and
 - The applicant's overall performance with respect to all the screening requirements; and
 - The nature and seriousness of any criminal activity, especially drug-related criminal activity that appears on the applicant's record.
- 4. Qualified and Unqualified Applicants

- (a) Verified information will be analyzed and a determination made with respect to:
 - Eligibility of the applicant as a family;
 - Eligibility of the applicant with respect to income limits for admission;
 - Eligibility of the applicant with respect to citizenship;
 - Unit size required for the family:
 - Preference category (if any) to which the family is entitled;
 - Qualification of the applicant with respect to the Applicant Selection Criteria.
- (b) Families determined to be qualified will be notified by the PHA of the approximate date of occupancy insofar as that date can be reasonably determined. However, the date given by the PHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the PHA, such turnover rate, and market demands as they affect bedroom sizes and project location.
- (c) Assistance to a family may not be delayed, denied or terminated on the basis of the family's ineligible immigration status unless and until the family completes II the verification and appeals processes to which they are entitled under both INS and PHA procedures.
- (d) PHA will make every effort to accurately estimate an approximate date of occupancy. However, the date given by the PHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the PHA, such as turnover rates, and market demands as they affect bedroom sizes and project location.
- (e) Applicants determined ineligible, he/she will be so informed and the reasons stated in writing. The applicant will be granted ten (10) days from the date stated on the ineligible letter to request an informal meeting. The applicant may bring any person he/she wishes to represent them at the informal meeting. The request for an informal meeting shall be submitted either orally or in writing and received by the PHA within the time frame established by the PHA for the meeting.

SECTION IX.GROUNDS FOR DENIAL OF ADMISSION

- 1. The PHA is not required nor obligated to assist families who:
 - A. Owe rent, other amounts, or judgements to any PHA or any other federally subsidized housing program, the applicant will be declared ineligible. At the PHA's discretion, the applicant may be declared eligible upon payment of debt, with the date and time of application being the time of payment and meeting other criteria.

NOTE

Applicants that owe a PHA or any other federally subsidized program funds will be ineligible. Applicants must meet all other conditions for occupancy. Re-paying funds that are due does not necessarily qualify an applicant for occupancy. Such payments will be considered along with other factors in the application process. Any money owed to a PHA that has been discharged by bankruptcy shall not be considered in making this determination.

- B. Have previously been evicted from public housing.
- Committed acts that would constitute fraud in connection with any federally assisted housing program.
- D. Did not provide information required within the time frame specified during the application process.
- E. Convicted of drug-related criminal activity or violent criminal activity. The PHA shall prohibit admission to any household that includes any individual who is subject to a lifetime registration program.
- F. Has a record of not meeting financial obligations, especially rent.
- G. Has a record of disturbance of neighbors, destruction of property, or living or housekeeping habits that may adversely affect the health, safety or welfare of the other tenants.
- H. Has a history of criminal activity involving crimes of physical violence to persons or property and other criminal activity that may adversely affect the health, safety or welfare of residents.
- I. The applicant family must have properly completed all application requirements, including verifications. Intentional misrepresenting of income, family composition or any other information affecting eligibility will result in the family being declared ineligible. In the event that misrepresentation is discovered after admission, the lease may be terminated for such misrepresentation.
- J. The applicant and all adults must sign a release allowing the PHA to request a copy of a police report from the Police Department or other Law Enforcement Agencies. If the PHA uses the information to deny or terminate assistance the PHA must provide a copy of the information used.
- K. If the applicant is a former Public Housing or Section 8 participant who vacated the unit in violation of his lease, the applicant may be declared ineligible.

- L. If the PHA determines that a person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The PHA may waive this requirement if:
 - The person demonstrates to the PHA's satisfaction that the person is not longer engaging a drug-related criminal activity or abuse of alcohol;
 - Has successfully completed a supervised drug or alcohol rehabilitation program;
 - Has otherwise been rehabilitated successfully; or
 - Is participating in a supervised drug or alcohol rehabilitation program.

NOTE

The above list is not intended to be all inclusive, Applicants may be denied admission if the PHA has reason to believe that the conduct of the applicant has been such as would be likely to interfere with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety, or welfare or to affect adversely the physical environment or the financial ability of the project if the applicant were admitted to the project.

- 1. If an applicant is denied admission, the PHA will notify the applicant, in writing, of its determination and inform the applicant that they have an opportunity for an informal meeting on such determination. The denial letter will allow the applicant ten (10) calendar days to request an informal meeting (verbal or in writing) with the PHA. The applicant may bring any person he/she wishes to represent them at the informal meeting.
- As a general rule applicants will be denied admission to Public Housing for the following time frames, which shall begin on the date of application, unless otherwise provided for herein below:
 - A. Denied admission for one (1) or three (3) years for the following:
 - Past rental record 3 years
 - Bad rent paying habits 3 years
 - Bad housekeeping habits, in and outside the unit 1 year
 - Damages 3 years
 - Disturbances 1 year
 - Live-ins 1 year
 - Persons evicted from Public Housing, Indian Housing, Section 8, or Section 23 Programs because of drug-related criminal activity are ineligible for admission to Public Housing for a three-year (3) period beginning on the date of such eviction.

- The HA can waive this requirement if: the person demonstrates to the HA's satisfaction successful completion of a rehabilitation program approved by the HA, or the circumstances leading to the eviction no longer exist.
- B. Denied admission for five (5) years for the following:
 - Fraud (giving false information on the application is considered fraud).
 - An arrest or conviction record that indicates that the applicant may be a threat and/or negative influence on other residents. The five years shall begin on the date of the last reported act, completion of sentence and/or probation period.
 - Drug use without evidence of rehabilitation.
 - Conviction for Drug Trafficking. Admission to be denied for a period of five (5) years from the date of conviction.
- C. Denied admission for life to any household that includes any individual who is subject to lifetime registration requirement under a State Sex Offender Registration Program.
- D. Denied admission for life to any applicant who has been convicted of manufacturing or producing methamphetamine (commonly referred to as "speed") on the premises of the Public Housing Project. 'Premises' is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

NOTE

As noted above these frames are only guidelines and the PHA may deny admission to any individual whose behavior may adversely affect the health, safety or welfare of other tenants, or may admit persons who exhibit evidence of rehabilitation.

SECTION X. OCCUPANCY GUIDELINES

It is the PHA's policy that families of the appropriate size should occupy the units. This policy maintains the usefulness of the units, while preserving them from excessive wear and tear or under-utilization.

The following general unit maximum and minimum number of persons per unit will govern the assignment of a family of a given size and composition. These are only guidelines and the maximums may be exceeded at the request of the family, or because of the square footage of a specific unit.

Occupancy Guidelines Chart			
No. of Bedrooms	Min. Persons / Unit	Max. Persons / Unit	
OBR	1	1	
1 BR	1	2	
2 BR	2	4	
3 BR	3	6	
4 BR	4	8	
5 BR	5	10	
6BR	6	12	

Exceptions to the maximum standards may be made in case of reasonable accommodations for a person with disabilities, emergencies, and at the discretion of the Executive Director or his designee. Further, the PHA has the right to permit families exceeding the maximums shown above to occupy units when they request such occupancy, and when PHA determines that the unit in question is large enough.

Families may choose to be placed on the waiting list for a unit one bedroom size smaller than that designated on the chart. A family that chooses to occupy a smaller size unit must agree not to request a transfer until their family size changes.

Families will not be placed on the waiting list for a larger unit unless there is a verifiable medical reason or reasonable accommodation that requires that the family be placed in a larger size unit.

Dwelling units will be assigned so that:

- (a) It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom. Exceptions may be made for infants and young children or at the request of the family.
- (b) For verified reasons of health (disability, addition of a live-in aide, need for medical equipment, etc.), a separate bedroom may be provided for an individual family member.
- (c) Two children of opposite six will not be required to share a bedroom except at the request of the family.
- (d) The living room will not be used as a bedroom except at the request of the family.
- (e) A single head of household parent shall not be required (but may choose) to share a bedroom with his/her children over the age of 3.

IMPORTANT: The above options will be discussed with each applicant family. Families will also be updated as to the status and movement of the various waiting lists and sub-lists maintained by the PHA. Families shall be asked to declare in writing the waiting list on which they wish to be

placed. If a family opts for a smaller unit size than would normally be assigned under the above standards (because, for example, the list is moving faster), the family will be required to sign a statement agreeing to occupy until their family size or circumstances change.

SECTION XI.TENANT SELECTION AND ASSIGNMENT PLAN

A. Organization of the Waiting List

It is the PHA's policy that each applicant shall be assigned his/her appropriate place on a single city-wide list in sequence based upon date and time the application is received, suitable type or size of unit, and factors affecting preference. Preference factors are established in this policy in accordance with HUD regulations and are consistent with the objectives of Titles VI of the Civil Rights Act of 1974 and Title VII of the Civil Rights Act of 1968 and HUD regulations and requirements pursuant thereto. Exceptions to single city-wide waiting lists will be permitted only to comply with Court Orders, Settlement Agreements, or when approved in advance by the Assistant Secretary for Fair Housing and Equal Opportunity.

The primary goals of this plan is to:

- Prohibit the concentration of low-income families in public housing.
- Income targeting.
- 3. To ensure that each applicant shall be assigned his/her appropriate place on a single wide list in sequence based upon date and time that the application is received, suitable type of size of unit, and factors affecting preference. The preference factors are established in this policy in accordance with HUD regulations and requirements pursuant thereto. Exceptions to single city-wide waiting lists will be permitted only to comply with court orders. Settlement Agreements, or when approved in advance by the Assistant Secretary for Fair Housing and Equal Opportunity.

The Housing Authority of the City of High Point (PHA) may not concentrate very low-income families in public housing units in certain public housing projects or certain buildings within projects. The PHA will submit with its annual PHA plan and Admissions Policy designed to provide for de-concentration of poverty and income-mixing by bringing higher income tenant into lower income projects and lower income tenants into higher income projects. The PHA may offer incentives for eligible families having higher incomes to occupy dwelling units in projects predominantly occupied by eligible families having lower incomes and provide for occupancy of eligible families having higher income. The skipping of a family on the waiting list to reach another family to implement de-concentration will be utilized as permitted by HUD.

Not less than 40% of new families will have incomes at or below 30% of the area median income.

Other admissions will be at or below 80% of the area median income.

Fundability will be allowed only to the extent that relatively higher income families move into public housing units in census tracts having a poverty rate of at least 30%.

B. Method of Applicant Selection

The PHA will first match the characteristics of the applicant to the unit available, including any priorities for admission r3quired for designated or mixed population housing. Applicable local preferences as described in this policy will then be used to determine the order of selection from the waiting list. Further, in the selection of a family for a unit with accessible features the PHA will give preference to families that include a person with disabilities who can benefit from the unit features.

The plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non discrimination on grounds of race, color, sex, religion, or national origin is <u>Plan "A"</u>. Under this plan each qualified applicant first in sequence on the waiting list is made one offer of a unit of appropriate size. The applicant must accept the vacancy offered or be dropped to the bottom of the waiting list ("unless the refusal was for good cause").

Selection will be in such a manner as:

- (a) To avoid concentration of the most economic and socially deprived families in one or all of the developments operated by the PHA.
- (b) To preclude admission of applicants who habits and practices reasonably may be expected to have a detrimental effect on the residents or the environment.
- (c) To maintain a resident body in each development composed of families with a broad range of incomes and rent paying ability which is generally representative of the range of incomes of the low income families in the PHA's area of operation.
- (d) To give preference to applicants who are otherwise eligible for assistance and who at the time they apply for housing assistance, are living within the jurisdiction of High Point, NC.
- (e) To achieve both the goals of reducing poverty and income mixing in public housing the PHA will skip over certain applicants on the waiting list based on income to achieve the required percentage of the extremely low-income families.
- (f) Residency preferences will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

C. Order of Applicant Selection

The order of selection listed below is to be applied within the ranges of Income/Rent adopted by the HA:

First Preference: These applicants will be selected first and ranked in the following order:

Families who reside inside or whose head of household or spouse is employed or have been hired to work, and graduates of, or are now participants in, education and training programs, fi the education or training program is designed to prepare individuals for the job market within the jurisdiction of High Point, NC, in the following order:

- Families that have been determined to be emergencies as defined as:
 "Displaced by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by Executive Director."
- Families with at least one adult who is employed. (This ranking is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work).
- Families not currently receiving housing assistance,
- Families currently receiving housing assistance.

Second Preference: These applicants will be selected after the First Preference applicants and ranked in the following order:

Families who do not reside inside or whose head of household or spouse work or have not been hired to work, and are not graduates of, or are not participants in, education and training programs, in the jurisdiction in the jurisdiction of High Point, NC, in the following order:

- Families that have been determined to be emergencies as defined as:
 "Displacement by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by Executive Director".
- Families with at least one adult who is employed. This ranking is extended to
 elderly families or families whose head or spouse is receiving income based on
 their inability to work).
- Families not currently receiving housing assistance.
- Families currently receiving housing assistance.

Applicants will be selected by date and time within each ranked category above.

D. <u>Acceptance/Refusal of offer</u>

The applicant must accept the vacancy offered within ten (10) working days of the date the offer is communicated by mail, or be dropped to the bottom of the waiting list (unless the rejection is for "good cause").

If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents to the satisfaction of the PHA clear evidence ("good cause") that acceptance of the offer of a suitable vacancy will result in undue hardship. Or handicap not related to consideration of race, color, sex, religion or national origin, the applicant will not be dropped to the bottom of the waiting list.

Examples of good cause for the refusal of housing include, but are not limited to:

- (1) Inaccessibility to source of employment or children's day care such that adult household member must quit a job, drop out of an educational institution or job training program;
- (2) The family demonstrates to PHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining order, other court orders, or risk assessments related to witness protection from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone are not good cause.
- (3) A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members or live-in aide (each as listed on final application) necessary to the care of the principal household member:
- (4) The unit is inappropriate for the applicant's disabilities;

(5) An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing.

The applicant must be able to document that the hardship claimed is good cause for refusing an offer of housing. Where good cause is verified to PHA's satisfaction, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list.

The PHA will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or rejection, including the reason for the rejection.

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

- (1) First, to a current occupant of another unit of the same development under the PHA's control, having a disability that requires the special features of the vacant unit (in effect, a transfer of the occupant with disabilities from an un-adapted unit to the vacant accessible/adapted unit).
- (2) Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the PHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident, or an applicant needs the features of the unit. This requirement will be reflected in the lease agreement signed with the applicant.

SECTION XII. LEASING AND OCCUPANCY OF DWELLING UNITS

It is the PHA's policy that all units must be occupied pursuant to a lease that complies with HUD's regulations.

Prior to making an offer for a unit the file for the applicant next on the waiting list will be reviewed by a staff member to determine the final approval.

Applicant folders will be processed at the PHA office. Initial intake, waiting list management, screening, and offers of housing (including transfers) will be made by public housing staff.

Offers will be made in writing only after final approval by the site manager.

Once the unit is shown and the applicant accepts the unit, public housing staff will execute a lease. If the applicant refuses the unit, the reason for refusal must be obtained. The public housing staff will make a "good cause" determination.

Changes in family composition, income, or status between annual re-examinations will be processed centrally. PHA staff shall work with central office to forward necessary information and coordinate this activity with the applicant or resident family. Staff shall not lease units to families whose occupancy will create an over or under housed situation.

The lease shall be signed by the head, spouse, and all adult members of the household accepted as a resident family and by the Executive Director or other authorized representative of PHA, prior to actual admission.

If a resident transfers from one PHA unit to another, a new lease will be executed for the dwelling into which the family moves.

If at any time during the life of the lease agreement, a change in the resident's status results in the need for changing or amending any provision of the lease, either:

- (1) A new lease agreement will be executed, or
- (2) A Notice of rent Adjustment will be executed, or
- (3) Any appropriate riders will be prepared and made a part of the existing lease, or any appropriate insertions made within the lease. All copies of such riders or insertions are to be dated and signed by the Resident and by the Executive Director or other authorized representative of the Housing Authority.

Only those persons listed on the lease shall be permitted to occupy a dwelling unit. Except for natural births to family members, any family seeking to add a new member must request approval in writing prior to the new member occupying the unit.

Following receipt of a family's request for approval, the PHA will conduct a pre-admission screening of the proposed new member. Only new members approved by the PHA following the screening process will be added to the household. The results of screening shall be used to determine whether or not to admit the new member. Children born to a family member, children under the age below which Juvenile Justice records are not made available who are adopted by a family member, or who are added through a kinship care arrangement are exempt from the preadmission screening process. The exemption age specified in this paragraph is subject to change should the state or locality modify its laws concerning the availability of police or court records for juvenile offenders.

Examples of situations where the addition of a family member is subject to screening are:

- (1) Resident plans to be married and files a request to add the new spouse to the lease.
- (2) Resident is awarded custody of a child over the age for which juvenile justice records are available:
- (3) Resident desires to add a new family member to the lease, employ a live-in-aide, or take in a foster child(ren);
- (4) A unit is occupied by a remaining family member(s) under the age of 18 (and not an emancipated minor) and an adult, not a part of the original household, requests permission to take over as the head of the household.

Residents who fail to notify the PHA of additions to the household are in violation of the lease. Residents who permit persons to join the household without undergoing screening are also in violation of the lease. The PHA will consider such persons unauthorized occupants and the entire household will be subject to eviction.

Visitors may be permitted in a dwelling unit, provided they are reported to the Manager within 72 hours of their arrival or prior thereto. The manager may authorize visits not exceeding 30 calendar days. Visits of more than 30 calendar days shall not be authorized. Visitors remaining beyond this period shall be considered trespassers and the head of the household shall be guilty of a breach of the lease.

Roomers and lodgers shall not be permitted to occupy a dwelling unit, nor shall they be permitted to move in with any family occupying a dwelling unit. Violation of this provision is grounds for termination of the lease.

Residents must advise the PHA if they will be absent from the unit for more than 14 days. Residents are required to notify the manager and make arrangements to secure the unit and provide a means for the PHA to contact the resident in the event of an emergency.

SECTION XIII. RESIDENT TRANSFERS

It is the PHA's policy that transfers will be made without regard to race, sex, sexual orientation, color, religion, national origin, or familial status. Residents will be transferred to accommodate a disability.

Emergency transfers are permitted when the unit or building conditions pose an immediate threat to resident life, health or safety, as determined by the PHA. Emergency transfers within sites or between sites may be made to repair unit defects hazardous to life, health, or safety, alleviate verified medical problems of a life threatening nature, or, based on documentation provided by a law enforcement agency, protect members of the household from attack by the criminal element in a particular property or neighborhood. These transfers shall take priority over new admissions.

Transfers are permitted to remove residents who are: Witnesses to crimes and may face reprisals (as documented by a law enforcement agency), Provide housing options to residents who are victims of hate crimes or extreme harassment, Alleviate verified medical problems of a serious nature, Permit modernization of units, or permit a family that requires a unit with accessible features to occupy such a unit. These transfers shall take priority over new admissions.

Requests for medical transfers will be made to the manager. The resident will provide the manager with the necessary verification and/or documentation to substantiate the need for a medical transfer. Medical transfers may also be initiated by the PHA, such as moving a person with mobility problems to a unit with accessible features.

Transfers within sites may be made to correct occupancy standards (over/under housed condition), and to address situations such as neighbor disputes that tare not criminal, but interfere with the peaceful enjoyment of the unit or common areas. These transfers will not take priority over new admissions.

Residents in an over/under housed status will be advised in their 30 day "Notice of Results of Reexamination" that a transfer is recommended and that the family has been placed on the transfer list.

When a head of household, originally housed in a bedroom by him/herself, has a child, the child shall remain in the parent's bedroom until it is three (3) years of age. After the age of three (3) a transfer may be recommended. **Exceptions:** Spouse returns to the unit, marriage takes place, or family decides to remain in the unit and the PHA's opinion the unit is large enough to accommodate the number of persons now in the household. (Other than for births that occur during tenancy, the PHA's prior approval of additions to the household is required).

Split family transfers will be processed under administrative transfers. Families that split into two (2) "new" households maybe transferred to two (2) different units or a portion of the "old" household may be transferred to a single unit depending on family circumstances and unit availability. Options for split-family transfers will be considered in order to minimize the impact on vacant units. Such transfers will be made in a manner that best benefits the PHA.

The Manager has the responsibility to obtain and document all pertinent information relative to a request for transfer.

Transfers must be approved by the Executive Director or designee.

Residents will receive one offer of a transfer. Refusal of that offer without good cause will result in the removal of the household from the transfer list. The good cause standards applicable to new admissions shall apply to transfers.

SECTION XIV. ELIGIBILITY FOR CONTINUED OCCUPANCY, ANNUAL RE-EXAMINATIONS, & REMAINING FAMILY MEMBERS

A. Eligibility for Continued

Residents who meet the following criteria will be eligible for continued occupancy:

- Qualify as a family as defined in this policy. (For purpose of continued occupancy remaining family members qualify as family. Remaining family members can also include court ordered emancipated minors under the age of 18).
- 2. Are in full compliance with the resident obligations and responsibilities as described in the dwelling lease.
- 3. Whose family members, age 6 or older, each have Social Security numbers, or have certifications on file indicating they have no Social Security number.
- 4. Who are citizens or have eligible immigration status. Every member of a resident family must submit either evidence of citizenship or eligible immigration status as required.

B. Remaining Family Members and Prior Debt

- As a party to the lease, remaining family members (other than the head or spouse) 18 years of age or older will be responsible for arrearages incurred by the former head or spouse. PHA will not hold remaining family members (other than head or spouse responsible for any portion of the arrearage incurred prior to the remaining member attaining age 18.
- 2. Remaining family members under the age of 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

C. Re-Examination

- 1. Regular re-examinations. The PHA shall at least once a year, re-examine the incomes of all resident families whose rent has been computed by the income-based rental method. The effective date of the annual re-examination shall be the anniversary date of admission.
- 2. Special Re-Examinations. When it is not possible to estimate projected family income with any degree of accuracy at the time of admission or regular reexamination, a temporary determination will be made with respect to income and a special re-examination will be scheduled every 90 days until a reasonably accurate estimate of income can be made. The resident will be notified in advance as to the date for the special re-examination(s). Special re-examination shall also be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.
- 3. <u>Zero Income</u>. Persons reporting zero income will have their circumstances examined every 90 days until they have a stable income. Persons claiming zero income will also be asked to complete a family expense form. This form will be the first form completed in the annual re-examination process. The form will ask residents to estimate how much they spend on: food, beverages, transportation,

health care, child <u>care</u>, debts, household items, etc. Residents will then be asked how they pay for these items.

4. <u>Flat rent re-examinations</u>. Re-examinations of <u>income will be conducted every three (3) years</u> for the families who have chosen to have their rent based on the flat rent method.

Re-examinations of the family composition will be conducted at least annually.

In the event a family's income decreases due to financial hardship, the family may elect to pay an income-based rent because the higher flat rent is no longer affordable.

5. Re-examination Procedures

- (a) At the time of re-examination, the head of household will be required to sign a Re-examination Data Sheet and other forms as required by HUD.
- (b) Employment, income, allowances, Social Security numbers, and such other data as is deemed necessary will be verified, and all verified findings will be documented and filed in the resident's folder. Income verifications must be current. (Within the past 120 days).
- (c) Verified information will be analyzed and a determination made with respect to:
 - Eligibility of the resident as a family or as the remaining member of a family;
 - Unit size required for the family;
 - Rent the family should pay.
- (d) Income shall be computed in accordance with the definitions and procedures set forth in this policy.
- (e) Families failing to respond to the initial re-examination appointment will be issued a final appointment. Failure to respond to the final request will result in the family being sent a notice of lease violation. Failure to comply will result in termination of the lease.

6. Action Following Re-examination

- (a) A Notice of Rent Adjustment will be issued.
- (b) If any change in the unit size is required, the resident will be placed on a transfer list in accordance with the transfer criteria described in this policy and moved to an appropriate unit when one becomes available.
- (c) The PHA shall not commence eviction proceedings or refuse to renew a lease, based upon the income of the resident family unless:
 - (1) It has identified, for possible rental by the family, a unit of decent, safe and sanitary housing of suitable size available at a rent not exceeding thirty percent (30%) of income as defined by the Authority for the purpose of determining rents; or
 - (2) It is required to do so by local law.

Pending their removal from the project, such families are to be charged rents calculated in accordance with the formula for Total Tenant Payment described in this policy.

SECTION XV. INTERIM RENT ADJUSTMENT / MINIMUM RENT

A. Minimum Rent

A family must pay the greater of thirty percent (30%) of monthly adjusted income, ten percent (10%) of monthly income, or the minimum rent of \$100. (Families whose head or spouse is elderly, disabled or handicapped will pay \$25 and will remain at that level unless this is changed by the Board of Commissioners).

As approved under the "Moving To Work" Program, the minimum rent for all other families is currently \$100 per month.

B. Rent Adjustment

- 1. Residents must report all changes in family composition, status, or income to the housing specialist within ten (10) calendar days of the occurrence. Failure to report within ten calendar days may result in a retroactive rent charge.
- Not all changes in family income between re-examinations will result in a rent change. The PHA will process interim changes in rent in the following cases:
- 3. The family must promptly furnish to the PHA any letter or other notice furnished by HUD to a member of the family providing information concerning the amount or verification of family income.

The PHA will verify the accuracy of the income formation received from the family and change the amount of the total tenant payment, tenant rent, or terminate assistance, as appropriate based on such information.

- It is necessary to correct any error made by a previous rent determination.
- A reduction in family income has occurred which is expected to continue for a period of more than 30 days.
- The Resident or any member of the Resident's family not previously employed, becomes employed.
- When a new member is added to the family composition, and has income.
- The Resident or any member of the Resident's family who
 previously was not receiving government assistance in the form of
 TAMF, Work First, Social Security Benefits, SSI, Unemployed
 Benefits, etc., begins to receive such benefits.

The Resident must report his or her, or any member of the Resident's family newly acquired government assistance referred to above, to the HA within 10 days of the date of receiving such benefits.

• The family size of the Resident increase or decreases:

All income of any family member who is added to the household shall be reported within 10 calendar days of the addition.

C. Interim Adjustments

Interim adjustments in rent shall become effective as follows:

- (1) Increases in rent shall become effective as follows:
 - On the first day of the second month following the increase in family income.
 - On the first day of the month following the correction of an error made at a previous rent determination.
- (2) Decreases in rent shall become effective:
 - On the first day of the month following the reporting of a decrease in family income.
 - On the first day of the month following the reporting of a change in family size.
 - On the first day of the month following the correction of an error made at a previous rent determination and shall be retroactive back to the time the rent began to be incorrectly charged.

D. Failure to Report Accurate Information

If it is found the resident has misrepresented, or failed to report to Management the facts upon which his/her rent is based so that the rent being paid is less than what should have been charged, the increase in rent will be made retroactive. Failure to report accurate information is also grounds for initiating eviction proceedings in accordance with PHA's dwelling lease.

SECTION XVI. LEASE TERMINATION PROCEDURES

All lease terminations and evictions will be processed in accordance with the PHA's current dwelling lease and Grievance Procedure. The PHA's Dwelling Lease and the Grievance Procedure is incorporated into this document by reference and is the guideline to be used for lease terminations and evictions. (Refer to Appendix #1 for Dwelling Lease)

The dwelling lease may not cover every specific situation that warrants a lease termination; therefore, <u>for good cause</u> the PHA may terminate a lease for reasons that are not specifically listed in the dwelling lease. (Refer to Appendix #4 for Trespassing Policy.)

SECTION XVII. COMPLAINTS AND GRIEVANCE PROCEDURE

Complaints and grievance Procedures shall be accomplished in accordance with the PHA approved Grievance Procedure. The grievance procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals. (Refer to Appendix #3 for Grievance Procedure.)

SECTION XVIII. NOTICE REQUIREMENTS

No resident shall be given a Notice of Termination (30-day notice) without being told by the PHA in writing the reason for termination. The resident must also be informed of his/her right to request a hearing in accordance with the Grievance Procedure, and be given the opportunity to make such a reply as he/she may wish. Certain actions are excluded from the Grievance Procedure, specifically; any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or PHA employees; and any drug-related criminal activity on or off the premises.

Notices of lease termination can be served personally, and if posted to the apartment door, shall also be sent to the resident by mail.

SECTION XIX. RECORD KEEPING REQUIREMENTS

A written record of every termination and/or eviction shall be maintained by the PHA, and shall contain the following information:

- 1. Name or resident, number and identification of unit occupied;
- 2. Date of the Notice of Lease Termination and any other notices required by state or local law; these notices may be on the same form and will run concurrently;
- 3. Specific reason(s) for the Notices, with section of the lease violated, and other facts pertinent to the issuing of the Notices described in detail;
- 4. Date and method of notifying resident;
- 5. Summaries of any conferences held with resident including dates, names of conference participants and conclusions.

SECTION XX. EXCESS UTILITY CHARGES

Residents in units where the PHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in this unit, or the family usage of the utilities over the allowance established by the PHA. (This does not apply to the elderly).

SECTION XXI. ONE STRIKE POLICY

Purpose

All federally assisted housing units are intended to provide safe and decent place for eligible families to live, free of violent criminal activity and the illegal sale and use of drugs, alcohol and related activity. It is the intention of the Housing Authority of the City of High Point to fully endorse and implement a policy that is designed to:

- Keep our program participants free from threats to their family and safe from violent criminal activity;
- 2. Help create and maintain a safe, alcohol and drug-free environment.

Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member.

Administration

- All screening and evicting procedures shall be administered fairly and in such a
 way so as not to discriminate on the basis of race, color, nationality, religion, sex,
 familial status, disability or other legally protected groups, and not to violate ones
 right to privacy.
- To the maximum extent possible, and permissible by law, the PHA will involve other community and governmental entities, in the promotion and enforcement of this policy.
- 3. This policy is posted on the PHA's bulletin board and with copies made readily available to residents and participants upon request.

Screening of Applicants

In an effort to prevent future drug-related and other criminal activity, as well as other patterns of behavior that pose a threat to health, safety or the right to peaceful enjoyment of the premises by other residents, and as required by the Notice 96-27, the PHA will endeavor to screen applicants as thoroughly and fairly as possible.

Such a screening will apply to any member of the household who is 18 years of age or older or who is an emancipated minor.

HUD Definitions

Drug related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance. Drug related criminal activity means on or off the premises, not just on or near the premises.

Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member.

Standard for Violation

The PHA will deny participation in the program to applicants and terminate assistance to participants in cases where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or if the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents, including cases where the PHA determines that there is a pattern of illegal use of a controlled substance or pattern of alcohol abuse.

The PHA will consider the use of a controlled substance or alcohol to be a pattern if there is more than one incident during the previous three (3) months.

"Engaged in or engaging in" violent criminal activity means any act within the past three (3) years by applicants or participants, household members, or guests which involved criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person of another, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

The activity is being engaged in by any family member.

The existence of the above-referenced behavior by any household member or guest, regardless of the applicant or participant's knowledge of the behavior shall be grounds for denial or termination of assistance.

In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by the evidence of rehabilitation.

Drug Related and Violent Criminal Activity

<u>Ineligibility if Evicted for Drug Related Activity:</u> Persons evicted from Public Housing, Indian Housing, Section 23 or any Section 8 Program because of drug-related criminal activity are ineligible for admission to the Section 8 Program for a three-year period beginning on the date of such eviction.

Applicants will be denied assistance if they have been arrested / convicted / evicted from a unit assisted under the Housing Act of 1937 due to drug-related or violent criminal activity within the last three (3) years prior to the date of the certification interview.

Participants will be terminated who have been arrested/convicted/evicted from a unit assisted under the Housing Act of 1937 due to drug-related or violent criminal activity within the last three (3) years prior to the date of the notice to terminate assistance, and whose activities have created a disturbance in the building or neighborhood.

Applicants will be <u>denied admission for life</u> who have been convicted of manufacturing or producing methamphetamine (commonly referred to as "speed" on the premises of the Public Housing Community.

Admission will be <u>denied for life</u> to any household that includes any individual who is subject to a lifetime registration requirement under a State Sex Offender Registration Program.

If the family violates the lease for drug-related or violent criminal activity, the HA will terminate assistance.

In appropriate cases, the PHA may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the PHA may consider individual circumstances with the advice of Juvenile Court officials.

Notice of Termination of Assistance

In any case where the PHA decides to terminate assistance to the family, the PHA must give the family written notice which states:

- The reason(s) for the proposed termination,
- The effective date of the proposed termination,
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.,
- The date by which a request for an informal hearing must be received by the PHA.

The PHA will simultaneously provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

The PHA will pursue fact-finding efforts as needed to obtain credible evidence.

Confidentiality of Criminal Records

The PHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

Misuse of the above information by any employee will be grounds for termination of employment.

ADMINISTRATIVE PLAN

FOR THE

SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

THE HOUSING AUTHORITY OF THE CITY OF HIGH POINT
P. O. Box 1779
High Point, North Carolina 27261

Approved by the Board of Commissioners January 10, 2001

Submitted to U.S. Department of Housing & Urban Development February 14, 2001

TABLE ON CONTENTS

CHAPTER 1 STATEMENT OF POLICIES AND OBJECTIVES

		Chapter - Page
A. B. C. D. E. F. G. H. I. J. K. L. M.	INTRODUCTION LOCAL OBJECTIVES PURPOSE OF THE PLAN FAIR HOUSING POLICY SERVICE POLICY/ACCOMMODATIONS TRANSLATIONS OF DOCUMENTS FAMILY OUTREACH OWNER OUTREACH PRIVACY RIGHTS EQUAL EMPLOYMENT OPPORTUNITY RULES AND REGULATIONS JURISDICTION MONITTORING PROGRAM PERFORMANCE EXPENDITURES FROM ADMINISTRATIVE FEE RESERVE TERMINOLOGY	1-1 1-2 1-2 1-3 1-3 1-3 1-4 1-4 1-4 1-4
	CHAPTER 2 ELIGIBILITY FOR ADMISSION	
A, B. C. D. E. F. G.	INTRODUCTION FAMILY COMPOSITIONINCOME LIMITATIONS	
	CHAPTER 3 APPLYING FOR ADMISSION	
A. B. C. D. E. F. G.	INTRODUCTION HOW TO APPLY OPENING/CLOSING OF APPLICATION TAKING "INITIAL" APPLICATION PROCEDURES NOTIFICATION OF APPLICATION STATUS. TIME OF SELECTION. COMPLETION OF A FULL APPLICATION. SELECTION OF HOUSING CHOICE VOUCHER FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY	

CHAPTER 4 ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

	INTRODUCTION	
A.	APPLICATION POOL	4-1
B.	WAITING LIST PREFERENCES	
C.	"INITIAL" DETERMINATION OF LOCAL PREFERENCE	4-2
D.	LOCAL PREFERENCES	4-2
E.	RANKING PREFERENCES	
F.	EXCEPTIONS FOR SPECIAL ADMISSIONS	
G.	TARGETED FUNDING	
Н.	PREFERENCE ELIGIBILITY	
I.	ORDER OF SELECTION	4-4
J.	FINAL VERIFICATION OF PREFERENCES	
K.	PREFERENCE DENIAL	
L.	REMOVAL FROM WAITING LIST AND PURGING	4-0
	CHAPTER 5 SUBSIDY STANDARDS	
A.	INTRODUCTION DETERMINING HOUSING CHOICE VOUCHER SIZE	5-1
Д. В.	CHANGES IN HOUSING CHOICE VOUCHER SIZE	
C.	UNIT SIZE SELECTED	
	CHAPTER 6 FACTORS RELATED TO TOTAL TENANT PAYMENT DETERMINATION	
	INTRODUCTION	
Α.	INCOME AND ALLOWANCES	6-1
В.	DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT	
C.	AVERAGING INCOME	
D.	MINIMUM INCOME	
E.	INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME	
F. G.	REGULAR CONTRIBUTIONS AND GIFTSALIMONY AND CHILD SUPPORT	
G. Н.	LUMP-SUM RECEIPTS	
п. I.	ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE	6-10
J.	CHILD CARE EXPENSES	
о. К.	MEDICAL EXPENSES	
L.	PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES	6-11
M.	REDUCTION IN BENEFITS	6-11
N.	UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS	6-11

VERIFICATION PROCEDURES

	INTRODUCTION	
Α.	METHODS OF VERIFICATION AND TIME ALLOWED	
B. C.	RELEASE OF INFORMATIONVERTIFCATION OF INCOME	7-3
D.	INCOME FROM ASSETS	
E.	VERIFICATION OF ASSETS	
F.	VERIFYING NON-FINANCIAL FACTORS	
G.	COMPUTER MATCHING	7-3
H.	ITEMS TO BE VERIFIED	
I.	VERIFICATION OF INCOME	
J.	VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME	
K.	WAITING LIST PREFERENCES	7-9
	CHAPTER 8	
	HOUSING CHOICE VOUCHER ISSUANCE AND BRIEFINGS	
Α.	INTRODUCTION ISSUANCE OF HOUSING CHOICE VOUCHERS	8-1
B.	BRIEFING TYPES AND REQUIRED ATTENDANCE	
C.	ENCOURAGING PARTICIPATION IN AREAS WITHOUT	
_	LOW INCOME OR MINORITY CONCENTRATION	8-4
D. E.	ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATIONSECURITY DEPOSIT REQUIREMENTS	
⊏. F.	TERM OF HOUSING CHOICE VOUCHER	
G.	INTERCHANGEABILITY BETWEEN CERTIFICATE & HOUSING CHOICE VOUCHER	
H.	HOUSING CHOICE VOUCHER ISSUANCE DETERMINATION	
	FOR SPLIT HOUSEHOLDS	8-7
I.	REMAINING MEMBER OF TENANT FAMILY - RETENTION OF HOUSING CHOICE VOUCHER	
	RETENTION OF HOUSING CHOICE VOUCHER	8-8
	CHAPTER 9	
	REQUEST FOR LEASE APPROVAL AND CONTRACT EXECUTION	
	INTRODUCTION	0.4
А. В.	REQUEST FOR LEASE APPROVALELIGIBLE TYPES OF HOUSING	9-1
В. С.	LEASE REVIEW	
D.	INITIAL INSPECTIONS	
E.	RENT LIMITATIONS	
F.	DISAPPROVAL OF PROPOSED RENT	9-4
G.	INFORMATION TO OWNERS	
Н.	OWNER DISAPPROVAL	9-5
I.	CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO	0.0
J.	HAP EFFECTIVE DATECONTRACT EXECUTION PROCESS	9-ნ ი ი
J. K.	CHANGE IN OWNERSHIP	
٠	OF WATOL IT OTTILITOFIII	5-1

CHAPTER 10

HOUSING QUALITY STANDARDS AND INSPECTIONS

A. B. C. D. E. F. H. I. J. K.	INTRODUCTION GUILDLINES/TYPES OF INSPECTION ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS INSPECTIONS EMERGENCY REPAIR ITEMS CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMSITEMS) DETERMINATION OF RESPONSIBILITY CONSEQUENCES IF FAMILY IS RESPONSIBLE INITIAL HQS INSPECTION ANNUAL HQS INSPECTION SPECIAL/COMPLAINT INSPECTIONS QUALITY CONTROL INSPECTIONS	10-2 10-3 10-4 10-5 10-6 10-6
	CHAPTER 11 OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS	
	INTRODUCTION	44.4
A.	OWNER PAYMENT IN THE HOUSING CHOICE VOUCHER PROGRAM	1 1-1 11-1
В.	MAKING PAYMENTS TO OWNERS	
C.	RENT REASONABLENESS DETERMINATIONS	11-2
D	PAYMENT STANDARDS FOR THE HOUSING CHOICE VOUCHER PROGRAM	
E. F.	ADJUSTMENTS TO PAYMENT STANDARDSRENT ADJUSTMENTS	
	CHAPTER 12 RECERTIFICATIONS	
	RECERTIFICATIONS	
	INTRODUCTION	
Α.	ANNUAL ACTIVITIES	
B.	ANNUAL RECERTIFICATION/REEXAMINATION	
C. D.	REPORTING INTERIM CHANGESNOTIFICATIONS	
E.	TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)	
F.	REPORTING OF CHANGES IN FAMILY COMPOSITION	
G.	CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES	12-7
	CHAPTER 13	
	MOVES WITH CONTINUED ASSISTANCE/PORTABILITY	
	INTRODUCTION	
A.	ALLOWABLE MOVES	
В.	RESTRICTIONS ON MOVES	
C.	PROCEDURE FOR MOVES	
D. E.	PORTABILITYOUTGOING PORTABILITY	
E. F.	INCOMING PORTABILITY	
	HOOMING FORTABLETT	10-0

CONTRACT TERMINATIONS

A. B. C. D. E.	INTRODUCTION CONTRACT TERMINATION TERMINATION BY THE FAMILY: MOVES TERMINATION BY THE OWNER: EVICTIONS TERMINATION OF THE CONTRACT BY HA TERMINATIONS DUE TO ELIGIBLE IMMIGRATION STATUS TERMINATION DUE TO OWNER DISAPPROVAL	14-1 14-3 14-4
	CHAPTER 15	
	DENIAL OR TERMINATION OF ASSISTANCE	
A. B. C. D. E. F. G.	INTRODUCTION GROUNDS FOR DENIAL/TERMINATION FAMILY OBLIGATIONS ONE STRIKE POLICY FOR SECTION 8 HOUSING CHOICE VOUCHERS PROCEDURES FOR NON CITIZENS \$0 ASSISTANCE TENANTS OPTION NOT TO TERMINATE FOR MISREPRESENTATION MISREPRESENTATION IN COLLUSION WITH OWNER MISSED APPOINTMENTS AND DEADLINES	15-315-1115-1115-12
	CHAPTER 16	
	OWNER DISAPPROVAL AND RESTRICTION	
A. B. C.	INTRODUCTION DISAPPROVAL OF OWNEROWNER RESTRICTIONS AND PENALTIESOTHER REMEDIES FOR OWNER VIOLATIONS	16-1
	CHAPTER 17 CLAIMS, MOVES-OUT AND CLOSED-OUT INSPECTIONS (For Contracts Effective Before October 2, 1995)	
A. B. C. D. E.	INTRODUCTION OWNER CLAIMSUNPAID RENT VACANCY LOSS IN THE CERTIFICATE PROGRAMMOVES-OUT AND CLOSED-OUT INSPECTIONSPROCESSING CLAIMS	17-1 17-2 17-3

CHAPTER 18 OWNER OR FAMILY DEBTS TO THE HA

_	INTRODUCTION	
А. В.	DEBTS OWED FOR CLAIMS DEBTS DUE TO FRAUD/NON REPORTING OF INFORMATION	
В. С.	OWNER DEBTS TO THE HA	
О.	OWNER DEBTS TO THE HA	10-2
	CHAPTER 19 COMPLAINTS AND APPEALS	
	INTRODUCTION	
Α.	COMPLAINTS TO THE HA	19-1
В.	PREFERENCE DENIALS	
C.	INFORMAL REVIEW PROCEDURES FOR APPLICANTS	
D.	INFORMAL HEARING PROCEDURES	19-3
E.	HEARING AND APPEAL PROVISIONS FOR "RESTRICTION ON	
_	ASSISTANCE TO NON-CITIZENS"	19-7
F.	MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS	40.0
	WITH DISABILITIES	19-9
	CHAPTER 20	
	PROGRAM INTEGRITY ADDENDUM	
	INTRODUCTION	
A.	CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD	20-1
B.	STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD	20-2
C.	STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD	20-3
D.	THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD	20-4
E.	HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD	20-4
F.	PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS	20-5
G.	CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW	
H.	EVALUATION OF THE FINDINGSACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED	20-5
l.	ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED	
	ACTION I ROCEDONEO I ON VIOLATIONO WITHOUT HAVE BEEN BOOOMENTED	20-0
	ACTION I ROCEDONEO I OR VIOLATIONO WITHOUT HAVE BEEN BOOGMENTED	20-0
	GLOSSARY	20-0
Α.	GLOSSARY ACRONYMS USED IN SUBSIDIZED HOUSING	GL-1
A. B.	GLOSSARY	GL-1

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which re-codified the U.S. Housing Act of 1937. The Act has been amended from time to time, and its requirements, as they apply to the Housing Choice Voucher, is described in and implemented through this Administrative Plan.

Administration of the Section 8 Program and the functions and responsibilities of the Housing Authority (HA) staff shall be in compliance with the HA's Personnel Policy and the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations.

A. LOCAL OBJECTIVES

The Section 8 Program is designed to achieve three major objectives:

- 1. To provide decent, safe, and sanitary housing for very low income families while maintaining their rent payments at an affordable level.
- 2. To prompt freedom of housing choice and spatial de-concentration of very low-income families of all races and ethnic backgrounds.
- 3. To provide an incentive to private property owners to rent to very low-income families by offering timely assistance payments.

In addition, the HA has the following goals for the program:

- 1. To assist the local economy by increasing the occupancy rate and the amount of money flowing to the community.
- To encourage self-sufficiency of prticipant families.

B. PURPOSE OF THE PLAN

The purpose of the Administrative Plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local objectives. The Plan covers both admission and continued participation in these programs. Policies are the same for both programs unless otherwise noted.

The HA is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence. The original Plan and any changes must be approved by the Board of Commissioners of the agency and a copy provided to HUD.

C. FAIR HOUSING POLICY

It is the policy of the Housing Authority to comply fully with all Federal, State and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The HA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family, or marital status, handicap or disability.

To further its commitment to full compliance with applicable Civil Rights laws, the HA will provide Federal/State/local information to Housing Choice Voucher program holders regarding "discrimination" and any recourse available to them if they are victims of discrimination. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Housing Choice Voucher holder's briefing packet.

Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the HA's facilities are inaccessible to or unusable by persons with disabilities.

The HA's Central office, 500 E. Russell Ave., High Point, NC is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TTD/TDY telephone number, 336-887-2661.

D. SERVICE POLICY /ACCOMMODATIONS

This policy is applicable to all situations described in this Administrative Plan when a family initiates contact with the HA, when the HA initiates contact with a family including when a family applies, and when the HA schedules or reschedules appointments of any kind.

It is the policy of this HA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

The HA's policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on HA forms and letters to all families, and all requests will be verified so that the HA can properly accommodate the need presented by the disability.

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All HA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Verification of a Request for Accommodation

All requests for accommodation or modification will be verified with a reliable knowledgeable, professional.

The Housing Authority utilizes organizations which provide assistance to hearing- and sight-impaired persons when needed.

E. TRANSLATIONS OF DOCUMENTS

If there is a need for documents to be translated for non-English speaking families, the HA will contract with an outside agency to provide the service.

FAMILY OUTREACH

The HA will publicize and disseminate information to make known the availability of housing assistance and related services for very low income families on a regular basis. When the HA's waiting list is open. the HA will publicize the availability and nature of housing assistance for very low-income families in a newspaper of general circulation, minority media, and by other suitable means.

To reach persons who cannot read the newspapers, the HA will distribute fact sheets to the broadcasting media. HA will communicate the status of housing availability to other service providers in the community, advise them of housing eligibility factors and guidelines in order that they can make proper referrals for housing assistance.

G. **OWNER OUTREACH**

The HA encourages owners of decent, safe and sanitary housing units to lease to Section 8 families. The HA maintains a list of interested landlords/list of units available for the Section 8 Program and updates this list at least monthly. When listings from owners are received, they will be compiled by the HA staff by bedroom size.

The Housing Authority encourages suburban property owners to participate in the Section 8 Program.

The staff of the HA initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

The HA has active participation in a community based organization(s) comprised of private property and apartment owners and managers.

The HA conducts periodic meetings with participating owners to improve owner relations and to recruit new owners.

H. **PRIVACY RIGHTS**

Applicants and participants, including all adults in their households, are required to sign the HUD 9886 Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD will release family information.

The HA's policy regarding release of information is in accordance with State and local laws which may restrict the release of family information.

In accordance with HUD requirements, the HA will furnish prospective owners with the family's current address as shown in the HA's records and, if known to the HA, the name and address of the landlord at the family's current and prior address.

A statement of the HA's policy on release of information to prospective landlords will be included in the briefing packet which is provided to the family.

The HA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All participant files will be stored in a secure location that is only accessible by authorized staff.

No participant information will be discussed with any outside agency or individual unless the HA has received the properly signed Authorization form.

I. EQUAL EMPLOYMENT OPPORTUNITY

The HA practices affirmative action in hiring, promotion and conditions of employment.

J. RULES AND REGULATIONS

This Administrative Plan is set forth to define the HA's local policies for operation of the housing programs in the context of Federal laws and Regulations. All issues related to Section 8 not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and guidelines, or other applicable law.

K. JURISDICTION

The jurisdiction of the HA is the city of High Point, North Carolina.

L. MONITORING PROGRAM PERFORMANCE

Reports will be maintained for:

- Monitoring funding availability, to ensure the HA is at maximum lease up but not overleased.
- Tracking outstanding Housing Choice Vouchers for expiration.
- · Timeliness of annual activities.
- Numbers of failed inspections and abatements.
- Claim payments made.
- Number and reason for moves and terminations of assistance.
- Number of new Housing Choice Vouchers issued.
- · Repayment of amounts owed the HA.

In order to ensure quality control, supervisory staff audit the following functions:

[10%] of reexaminations[10%] of new applications[5%] of the HQS inspections completed by each inspector[10%] of claims processed

M. EXPENDITURES FROM ADMINISTRATIVE FEE RESERVE

The Board of Commissioners has established \$10,000 maximum amount that may be expended from the Administrative Earned Fee Reserve without prior Board of Commissioners approval.

N. TERMINOLOGY

The Housing Authority of the City of High Point is referred to as "HA" or "Housing Authority" throughout this document.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to landlords.

"Landlord" and "owner" are used interchangeably.

"Disability" is used where "handicap" was formerly used.

"New Rule" refers to the HUD Occupancy Regulations effective 10/2/95. "Old Rule" refers to the Regulations that were superseded on that date.

"Non-citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

The Section 8 program is known as the Housing Choice Voucher Program.

"HQS" means the Housing Quality Standards required by regulations as enhanced by the HA.

"Failure to Provide" refers to all requirements in the first Family Obligation. See Chapter 15, "Denial or Termination of Assistance."

See Glossary for other terminology.

Housing Authority of the City of High Point	
Section 8 HCV Administrative Plan	

Chapter 2

ELIGIBILITY FOR ADMISSION

INTRODUCTION

This Chapter defines both HUD's and the HA's criteria for admission and denial of admission to the program. The policy of this HA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The HA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the HA pertaining to their eligibility.

Eligibility Factors

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the HA.

The HUD eligibility criteria are:

An applicant must be a "family"
An applicant must be within the appropriate Income Limits
An applicant must furnish Social Security Numbers
An applicant must furnish evidence of Citizenship/Eligible Immigrant Status

For the HA's additional criteria for eligibility, see Section E, "Other Criteria for Admission."

The Family's initial eligibility for placement on the waiting list will be made in accordance with the eligibility factors. Evidence of Citizenship/Eligible Immigrant Status will be verified before the family is selected from the waiting list for issuance of a Housing Choice Voucher.

Eligibility factors will be verified before the family is placed on the program.

A. FAMILY COMPOSITION

The applicant must qualify as a Family. A Family may be a single person or a group of persons. Discrimination based on familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation of law.

A group of persons may be:

Two or more persons who intend to share residency whose income and resources are available to meet the family's needs.

Two or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family.

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.

A single person may be:

An elderly person
A displaced person

A person with a disability

Head of Household

The head of household is the adult member of the household who designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. Emancipated minors who qualify under State law will be recognized as head of household.

A family may designate an elderly or disabled family member as head of household solely to qualify the family as an Elderly Household, provided that the person is at least partially responsible for paying the rent.

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Noncitizens Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Live-In Attendants

A Family may include a live-in aide provided that such live-in aide:

Is determined by the HA to be essential to the care and well being of an elderly person, a nearelderly person, or a person with disabilities,

Is not obligated for the support of the person(s), and

Would not be living in the unit except to provide care for the person(s).

A live-in aide is treated differently than family members:

- Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.
- 2. Live-in aides are not subject to Non-Citizen Rule Requirements.
- 3. Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family members of a live-in attendant may also reside in the unit providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the live-in's family members does not overcrowd the unit.

A Live in Aide may only reside in the unit with the approval of the HA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61) or disabled.

Verification must include the hours the care will be provided.

At any time, the HA may refuse to approve a particular person as a live-in aide or may withdraw such approval if:

(1) The person commits fraud, bribery, or any other corrupt or criminal act about any federal housing program.

- (2) The person commits drug-related criminal activity or violent criminal activity; or
- (3) The person currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

Split Households Prior to Housing Choice Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the HA will make the decision taking into consideration the following factors:

- 1. Which family member applied as head of household.
- 2. Which family unit retains the children or any disabled elderly members.
- 3. Restrictions that were in place at the time the family applied.
- 4. Role of domestic violence in the split.
- 5. Recommendations of social service agencies or qualified professionals such as children's protective services.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the HA.

In cases where domestic violence played a role, the standard used for verification will be the same as that required for the "displaced due to domestic violence" preference.

Multiple Families in the Same Household

When families apply which consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

Joint Custody of Children

Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year, which do not have to run consecutively.

When both parents are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

В. **INCOME LIMITATIONS**

In order to be eligible for assistance, an applicant must be:

A extreme-low income family (Less than 30% of AMFI, 75% of all new admissions must fall into this category); or

A very-low income family (30% or more of AMFI, but less than 50 of AMFI); or

A low-income family (50% or more of AMFI, but less than 80% of AMFI) in any of the following categories:

A low-income family that is continuously assisted under the 1937 Housing Act. An applicant is continuously assisted if the family has received assistance under any 1937 Housing Act program within 120 days of Housing Choice Voucher. Programs include public housing, all Section 8 programs, all Section 23 programs.

A low-income family physically displaced by rental rehabilitation activity under 24 CFR part 511.

A low-income non-purchasing family residing in a HOPE 1 or HOPE 2 project.

A low-income non-purchasing family residing in a project subject to a homeownership program under 24 CFR 248.173.

A low-income family displaced as a result of the repayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.

To determine if the family is income-eligible, the HA compares the Annual Income of the family to the applicable income limit for the family's size.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

<u>Single jurisdiction HAs:</u> The applicable income limit to be used at initial issuance of a Housing Choice Voucher is the income limit of the HA.

<u>Multi-jurisdictional HAs:</u> The applicable income limit used for initial issuance of a Housing Choice Voucher is the highest income limit with the HA's jurisdiction.

For admission to the program (initial lease-up), the family must be within the very low limit of the jurisdiction where they want to live.

<u>Portability</u>: For initial lease-up, families who exercise portability must be within the very low income limit for the jurisdiction of the receiving HA in which they want to live.

Participant families who exercise portability and request or require a change in their form of assistance must be within the low income limit of the receiving HA if they are to receive the alternate form of assistance.

C. MANDATORY SOCIAL SECURITY NUMBERS

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

D. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In order to receive assistance, a family member must be an U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

<u>Mixed Families</u>. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed". Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

<u>No eligible members.</u> Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students defined by HUD in the noncitizen regulations are not eligible for assistance.

<u>Appeals.</u> For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

E. OTHER CRITERIA FOR ADMISSION

The HA may apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program.

1. The Family must not have violated any family obligation or **lease** during a previous participation in the Section 8 program or **Public Housing** in the past three years.

When the HA denies assistance to an applicant with a disability, the applicant may request a review of the family obligation that was violated, if the violation was a result of the disability.

An exception may be granted by the HA if the family member who violated the family obligation is not a current member of the household on the application.

- 2. No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last three years.
- 3. A family must have paid any outstanding debt owed the HA or another HA as a result of prior participation in any federal housing program.
 - At the time of initial application, the family must pay any such debt in full in order to be placed on the waiting list.
- 4. No member of the family may have engaged in drug related or violent criminal activity in the past three years.

The HA will check criminal history for all adults and family members 16 years of age or older in the household to determine whether any member of the family has engaged in violent or drug-related criminal activity.

Verification of any past activity will be done at final eligibility and will include a check of conviction records.

- 5. No family member may have been evicted from public housing for any reason during the last three years.
- 6. No family member may have engaged in or threatened abusive or violent behavior toward HA personnel.

F. SUITABILITY OF FAMILY

The HA may take into consideration any of the additional criteria for admission in Section E above, but may not otherwise screen for factors which relate to the suitability of the applicant family as tenants. It is the responsibility of the owner to screen the applicants as to their suitability for tenancy.

The HA will advise families how to file a complaint if they have been discriminated against by an owner. The HA will advise the family to make a Fair Housing complaint. The HA could also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization.

G. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between placement on the waiting list and issuance of a Housing Choice Voucher may affect the family's eligibility or Total Tenant Payment. For example, if a family goes over the income limit prior to lease up, the applicant will not continue to be eligible for the program. They will be notified in writing of their ineligible status and their right to an informal review.

H. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to noncitizen status. See Chapter 19, "Complaints and Appeals" for additional information about reviews and hearings.

Chapter 3

APPLYING FOR ADMISSION

INTRODUCTION

The policy of the HA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the HA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

A. HOW TO APPLY

Families who wish to apply for any of the HA's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

The application process will involve two phases. The first is the "initial" application for assistance (referred to as a preapplication). This first phase results in the family's placement on the waiting list.

The second phase is the "final determination of eligibility" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the HA ensures that verification of all HUD and HA eligibility factors is current in order to determine the family's eligibility for the issuance of a certificate or Housing Choice Voucher.

B. OPENING/CLOSING OF APPLICATION TAKING

The HA will utilize the following procedures for opening the waiting list.

When the HA opens the waiting list, the HA will advertise through public notice in the newspapers, and media entities, advising of the location(s), and program(s) for which applications are being accepted.

The notice will contain:

The dates, times, and the locations where families may apply.

The programs for which applications will be taken.

A brief description of the program.

A statement that public housing residents must submit a separate application if they want to apply for Section 8.

Limitations, if any, on whom may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the HA address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline.

When Application Taking Is Suspended

The HA may suspend the acceptance of applications if there are enough local preference holders to fill anticipated openings for the next 12 months. The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

Any time that there are not enough applicants who claim a local preference, the HA may reopen the list only to applicants who claim a local preference.

Suspension of application taking is announced in the same way as opening the waiting list.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover and new allocations over the next 12 months. The HA will give at least two week's notice before closing the list. When the period for accepting applications is over, the HA will add the new applicants to the list by:

Separating the new applicants into groups based on preferences and ranking applicants within each group by date and time of application.

Limits on Who May Apply

When the waiting list is open, Depending upon the composition of the waiting list with regard to family types and preferences and to better serve the needs of the community, at times the HA may only accept applications from:

Any family claiming a local preference.

When the application is submitted to the HA:

It establishes the family's date and time of application for placement order on the waiting list.

C. "INITIAL" APPLICATION PROCEDURES

The HA will utilize an application form. The information is to be filled out by the applicant whenever possible. To provide specific accommodation to persons with disabilities, the information may be completed by a staff person. Translations will be provided for non-English speaking applicants.

The purpose of the application is to permit the HA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. The preapplication will contain questions designed to obtain the following information:

Names of adult members and age of all members

Sex and relationship of all members

Street Address and phone numbers

Mailing Address (If PO Box or other permanent address)

Amount(s) and source(s) of income received by household members

Information regarding Disabilities relating to program requirements (i.e., deductions)

Information related to qualification for preferences

Social Security Numbers

Race/ethnicity

Citizenship/eligible immigration status

Convictions for Drug Related or Violent Criminal Activity

Previous address

Current and previous landlords names and addresses

Emergency contact person and address

Program integrity questions regarding previous participation in HUD programs

Duplicate applications will not be accepted. Ineligible families will not be placed on the waiting list.

Applications will require an interview. The information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.

Applicants are required to inform the HA in writing of changes in family composition, income, and address, as well as any changes in their Preference status. Applicants are also required to respond to requests from the HA to update information on their application, or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. See Chapter 19, "Complaints and Appeals"

D. NOTIFICATION OF APPLICANT STATUS

If after a review of the application the family is determined to be eligible, they will be notified in writing. The notice will contain the approximate date that assistance may be offered, and will further explain that the estimated date is subject to factors such as turnover and additional funding.

This written notification of preliminary eligibility will be:

Mailed to the applicant by first class mail.

If the family is determined to be ineligible based on the information provided in the application, the HA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation. See Chapter 19, "Complaints and Appeals."

E. TIME OF SELECTION

When funding is available, families will be selected from the waiting list in their preference determined sequence, regardless of family size.

When there is insufficient funding available for the family at the top of the list, the HA will not admit any other applicant until funding is available for the first applicant. Applicants will not be passed over on the waiting list.

Based on the HA's turnover and the availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on waiting list sequence/completion of verification.

F. COMPLETION OF A FULL APPLICATION

All Local Preferences claimed on the pre-application or while the family is on the waiting list will be verified:

After the family is selected from the waiting list, and prior to issuance of a Housing Choice Voucher.

The qualification for preference must exist at the time the preference is verified regardless of the length of time an applicant has been on the waiting list because the preference is based on current status.

After the preference is verified, when the HA is ready to select applicants, applicants will be required to:

Participate in an application interview with a HA representative during which the applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The HA interviewer will complete the Personal Declaration Form with answers supplied by the applicant. The applicant will sign and certify that all information is complete and accurate.

Requirement to Attend Interview

The HA utilizes the interview to discuss the family's circumstances in greater detail, to clarify information which has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other HA services or programs which may be available.

All adult family members are required to attend the interview.

Exceptions may be made for students attending school out of state/for members for whom attendance would be a hardship.

If the head of household cannot attend the interview, the spouse may attend to complete the application and certify for the family. The head of household, however, will be required to attend an interview within 10 of days to review the information and to certify by signature that all of the information is complete and accurate.

If an applicant fails to appear for their interview without prior approval of the HA, their application will be denied unless they can provide acceptable documentation to the HA that an emergency prevented them from calling.

Reasonable accommodation will be made for persons with a disability who requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal review. (See Chapter 19, "Complaints and Appeals.")

All adult members must sign the HUD Form 9886, Release of Information, the application form and all supplemental forms required by the HA, the declarations and consents related to citizenship/immigration status and any other documents required by the HA. Applicants will be required to sign specific verification forms for information that is not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the HA.

Information provided by the applicant will be verified including information related to family composition, income, allowances and deductions, assets, eligible immigration status, full time student status and other factors related to preferences, eligibility and rent calculation. Verifications may not be more than 60 days old at the time of Housing Choice Voucher issuance.

If the HA determines at or after the interview that additional information or document(s) are needed, the HA will request the document(s) or information in writing. The family will be given 10 days to supply the information.

If the information is not supplied in this time period, the HA will provide the family a notification of denial for assistance. (See Chapter 19, "Complaints and Appeals.")

G. SELECTION OF A HOUSING CHOICE VOUCHER

The HA provides an explanation of the Housing Choice Voucher program orally. The family must decide on the Housing Choice Voucher assistance within 10 days of the notification.

If the applicant refuse the assistance offered, they will be rejected and their names removed from the waiting list. (See Chapter 19, "Complaints and Appeals")

H. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the HA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the HA, and the current eligibility criteria in effect. If the family is determined to be eligible, a briefing will be scheduled for the issuance of a Housing Choice Voucher and the family's orientation to the housing program.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

It is the HA's objective to ensure that the families are placed in the proper order on the waiting list so that an offer of assistance is not delayed to any family, or made to any family prematurely. This chapter defines the eligibility criteria for the local preferences and explains the HA's system of applying them. By maintaining an accurate waiting list, the HA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. APPLICATION POOL

The waiting list will be maintained in accordance with the following guidelines:

- 1. The application will be a permanent file.
- 2. All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.
- 3. All applicants must meet "Very Low Income" eligibility requirements as established by HUD, and a minimum of 75 percent of new admissions must be for "Extreme Low" families, whose incomes do not exceed 30 percent of the area median income Any exceptions to these requirements, other than those outlined in Chapter 2, "Eligibility for Admission," must have been approved previously by the HUD Field Office.

Special Admissions

Applicants who are admitted under Special Admissions rather than from the waiting list are identified by codes on the waiting list.

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by codes and are not maintained on separate waiting lists.

B. WAITING LIST PREFERENCES

An applicant will not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past three years because of drug-related criminal activity. The HA may grant an exception to such a family only for professionally documented cases (i.e. case worker statements, parole officer statements, court agreements).

B. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION

At the time of application, an applicant's entitlement to a local Preference may be made based on:

An applicant's certification that they qualify for a preference will be accepted without verification. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

The HA will reverify a preference claim, if the HA feels that family's circumstances have changed, at time of selection from the waiting list.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the local preference and given an opportunity for a meeting.

If, at the time the family applied, the preference claim was the only reason for placement of the family on the list and the family cannot verify their eligibility for the preference as of the date of application, the family will be removed from the list.

D. LOCAL PREFERENCES

Families who reside inside or whose head of household or spouse is employed within the jurisdiction of High Point, N.C. will be selected for housing assistance prior to families residing outside the jurisdiction of High Point, N.C.

E. RANKING PREFERENCES

Ranking preferences are used to prioritize applicants within the local preferences.

These categories will receive a ranking preference:

First Preference: These applicants will be selected first and ranked in the following order:

- (1) Families who reside inside or whose head of household or spouse is employed within the jurisdiction of High Point, N.C., in the following order:
 - (i) Families that have been determined to be emergencies as defined. (Displacement by disaster, such a fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes as defined by Executive Director.
 - (ii) Families with at least one adult who is employed. (This ranking is extended to elderly families or families whose head or spouse is receiving income based on their inability to work).
 - (iii) Families not currently receiving housing assistance.
 - (iv) Families currently receiving housing assistance.

Second Preference: These applicants will be selected after the First Preference applicants and ranked in the following order:

- (2) Families who do not reside or work in the jurisdiction of High Point, NC in the following order:
 - (i) Families that have been determined to be emergencies as defined. (Displacement by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by Executive Director.
 - (ii) Families with at least one adult who is employed. (This ranking is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work).
 - (iii) Families not currently receiving housing assistance.
 - (iv) Families currently receiving housing assistance.

Within each ranked category above, applicants will be selected by date and time.

F. EXCEPTIONS FOR SPECIAL ADMISSIONS

If HUD awards a HA program funding that is targeted for specifically named families, the HA will admit these families under a Special Admission procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. They are not counted in the limit on non-federal preference admissions. The HA maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

- 1. A family displaced because of demolition or disposition of a public or Indian housing project;
- 2. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
- For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990:
- 4. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; and
- 5. A non-purchasing family residing in a HOPE 2 project.

G. TARGETED FUNDING

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

The HA has the following "Targeted" Programs:

Family Unification Mobile Impaired

H. PREFERENCE ELIGIBILITY

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

The exception to this is if, at the time the family applied, the waiting list was only open to families who claimed the local preference which they initially claimed. In such case, the applicant must verify that they were eligible for the first preference before they are returned to the waiting list with the new preference.

Cross-Listing of Public Housing and Section 8

The HA will not merge the waiting lists for public housing and Section 8. However, if the Section 8 waiting list is open when the applicant is placed on the public housing list, the HA must offer to place the family on

both lists. If the public housing waiting list is open at the time an applicant applies for Section 8, the HA must offer to place the family on the public housing waiting list.

The HA will merge its waiting lists for the Housing Choice Voucher programs with the Section 8 Moderate Rehabilitation program.

ORDER OF SELECTION

Local Preferences

First Preference: These applicants will be selected first and ranked in the following order:

- Families who reside inside or whose head of household or spouse is employed within the jurisdiction of High Point, N.C., in the following order:
 - (i) Families that have been determined to be emergencies as defined. (Displacement by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by the Executive Director.
 - (ii) Families with at least one adult who is employed. (This ranking is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work).
 - (iii) Families not currently receiving housing assistance.
 - (iv) Families currently receiving housing assistance.

Second Preference: These applicants will be selected after the First Preference applicants and ranked in the following order:

- Families who do not reside or work in the jurisdiction of High Point, N.C. in the following (2) order:
 - (i) Families that have been determined to be emergencies as defined. Displacement by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by Executive Director.
 - (ii) Families with at least one adult who is employed. (This ranking is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work).
 - (iii) Families not currently receiving housing assistance.
 - (iv) Families currently receiving housing assistance.

Within each preference category above, applicants will be selected by date and time of application.

Under the singles rule, elderly and disabled families (families consisting of no more than two persons) and displaced singles will always be selected before other singles without regard to preference status.

FINAL VERIFICATION OF PREFERENCES

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the HA will:

Mail a Preference Verification letter to the applicant's last known address, requesting verification of the family's preference claim and mail third party verifications as applicable.

K. PREFERENCE DENIAL

If the HA denies a preference, the HA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting/a review. If the preference denial is upheld as a result of the meeting or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

If the applicant falsifies documents or makes false statements in order to qualify for any preference, they will be removed from the Waiting List.

I. REMOVAL FROM WAITING LIST AND PURGING

If an applicant fails to respond to a mailing from the HA, the applicant will be sent written notification and given 10 days to contact the HA. If they fail to respond within 10 days they will be removed from the waiting list. An extension will be considered an accommodation if requested by a person with a disability. If a letter is returned by the post office without a forwarding address, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. If a letter is returned with a forwarding address, it will be re-mailed to the address indicated.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement without sufficient documentation.

The waiting list will be purged at least annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

The same guidelines will be used for failure to respond to this mailing. Notices will be made available in accessible format upon the request of a person with a disability.

The HA allows a grace period of 30 days after completion of the purge. Applicants who respond during this grace period will be reinstated.

Chapter 5

SUBSIDY STANDARDS

INTRODUCTION

HUD guidelines require that HA's establish subsidy standards for the determination Housing Choice Voucher bedroom size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the Housing Choice Voucher size also must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the Housing Choice Voucher size for various sized families when they are selected from the waiting list, as well as the HA's procedures when a family's size changes, or a family selects a unit size that is different from the Housing Choice Voucher.

A. <u>DETERMINING HOUSING CHOICE VOUCHER SIZE</u>

The HA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom. The HA's subsidy standards for determining Housing Choice Voucher size shall be applied in a manner consistent with Fair Housing guidelines.

For subsidy standards, an adult is a person 18 years or older.

All standards in this section relate to the number of bedrooms on the Housing Choice Voucher, not the family's actual living arrangements.

The unit size on the Housing Choice Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

Generally, the HA assigns one bedroom to two people within the following guidelines:

Persons of different generations, persons of the opposite sex (other than spouses), and unrelated adults should be allocated a separate bedroom.

Separate bedrooms should be allocated for persons of the opposite sex over the age of three (other than adults who have a spousal relationship).

Foster children will be included in determining unit size only if they will be in the unit for more than 3 months.

Live-in attendants will generally be provided a separate bedroom.

No additional bedrooms are provided for the attendants' family.

Space may be provided for a child who is away at school but who lives with the family during school recesses.

Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military.

Adults of different generations will have separate bedrooms.

Single person families shall be allocated one bedroom.

GUIDELINES FOR DETERMINING HOUSING CHOICE VOUCHER SIZE

Housing Choice Voucher Siz	ze Persons in Household (Minimum #)	Persons in Household (Maximum #)
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10
6 Bedrooms	8	12

B. CHANGES IN HOUSING CHOICE VOUCHER SIZE

Changes for Applicants

The Housing Choice Voucher size is determined prior to the briefing by comparing the family composition to the HA subsidy standards. If an applicant requires a change in the Housing Choice Voucher size, the following guidelines will apply:

Requests for Exception to Subsidy Standards for Applicants

The family may request a larger sized Housing Choice Voucher than indicated by the HA's subsidy standards. Such request must be made in writing within 10 days of the HA's determination of bedroom size. The request must explain the need or justification for a larger bedroom size.

HA shall grant exceptions from the standards if the family requests and the HA determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances.

Circumstances may dictate a larger size than the Subsidy Standards permit when persons cannot share a bedroom because of an accommodation which has been requested, such as:

Persons who cannot occupy a bedroom because of a verified medical or health reason

Elderly persons or Persons with disabilities who may require a live-in attendant

Requests based on health related reasons must be verified by a doctor/medical professional.

If the HA errs in the bedroom size designation, the family will be issued a Housing Choice Voucher of the appropriate size so that the family is not penalized.

Changes for Participants

The members of the family residing in the unit must be approved by the HA. The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the HA within 10 days.

Requests for Exception to Subsidy Standards for Participants

The HA will grant an exception upon request as an accommodation for persons with disabilities.

The family may request a larger sized Housing Choice Voucher than indicated by the HA's subsidy standards. Such request must be made in writing within 10 days of the HA's determination of bedroom size. The request must explain the need or justification for a larger bedroom size.

When a change in family composition requires the issuance of another size Housing Choice Voucher and funds are not available for the program in which the family is assisted, the family will be issued the other form of assistance.

Underhoused and overhoused Families

If a unit does not meet HQS space standards due to an increase in family size, (unit too small), the HA will issue a new Housing Choice Voucher and assist the family in locating a suitable unit.

The HA will also notify the family of the circumstances under which an exception will be granted, such as:

If a family with a disability is underhoused in an accessible unit.

If a family requires the additional bedroom because of a health problem which has been verified by the HA.

C. <u>UNIT SIZE SELECTED</u>

The family may select a different size dwelling than that listed on the Housing Choice Voucher. There are three criteria to consider:

- 1. For the Housing Choice Voucher Program, the HA uses the Payment Standard for the Housing Choice Voucher size or the unit size selected by the family, whichever is less.
- Utility Allowance: The utility allowance used to calculate the gross rent is based on the
 actual size of the unit the family selects, regardless of the size authorized on the family's
 Housing Choice Voucher.
- 3. Housing Quality Standards: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

HQS GUIDELINES FOR UNIT SIZE SELECTED

Maximum # of Pe	ersons in Household
0 Bedroom	1
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6

FACTORS RELATED TO TOTAL TENANT PAYMENT DETERMINATION

INTRODUCTION

The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations. This Chapter defines the allowable deductions from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 813 and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The HA's policies in this Chapter address those areas which allow the HA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. INCOME AND ALLOWANCES

<u>Income</u>: The types of money that are to be used as income for purposes of calculating the TTP are defined by HUD in federal regulations. In accordance with this definition, income from all sources of each member of the household is counted.

<u>Annual Income</u> is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. A family's annual income includes the amount of **imputed welfare income** (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency).

Income Disregard For Section 8 Housing Choice Voucher Families for twelve months, the earned income of family members who were unemployed for a year or more and are now employed; family members whose employment income increased as a result of participation in any family self-sufficient or job training program; or family members who were receiving TANF benefits in the last six months and whose earned income increases. During the following twelve months the family's rent may be increased by 50 percent of the amount that would have been in effect without the disregard.

Adjusted Income is defined as the Annual income minus any HUD allowable deductions.

HUD allowable <u>deductions</u> from Annual Income:

- 1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
- 2. 'Elderly' allowance: \$400 for families whose head or spouse is 62 or over or disabled.
- 3. Allowable medical expenses for all family members are deducted for 'elderly' families.
- 4. Childcare expenses for children under 13 are deducted when childcare is necessary to allow an **adult** member to work or attend school.
- 5. Disability assistance expenses that are necessary to enable a family member to work.
- 6. The sum of the following, to the extent the sum exceeds three percent of annual income: (I) Unreimbursed medical expenses of any elderly family or disabled family; and (ii)

Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus.

- 7. Earn income of minors The amount of any earned income of a member of the family who is not 18 years of age or older is excluded.
- 8. Transportation Deduction Travel expenses in the amount of \$1200 per year for employment, education or training related to travel. No more than one deduction will be allowed each family. Families may qualify for the transportation deduction at their first annual reexamination on or after 10/01/99.

"Minimum Rent" and Minimum Family Contribution

"Minimum rent" in the Housing Choice Voucher and Moderate Rehabilitation Program is \$100.00 Minimum rent includes the combined amount (TTP) a family pays toward rent and/or utilities.

Minimum family contribution in the Housing Choice Voucher program is \$100.00. Exceptions to the application of the minimum monthly rental amount will apply to any family unable to pay because of financial hardship which include:

- 1) The family has lost eligibility, due to no fault of their own, or is awaiting an eligibility determination for a Federal, State, or local assistance program, including a family that includes a member who is an alien lawfully admitted for permanent residence
- 2) The family would be evicted as a result of the imposition of the minimum rent requirement;
- 3) The income of the family has decreased because of changed circumstance, including loss of employment;
- 4) A death in the family has occurred; and 5) other circumstances determined by the HA.

The Housing Authority will investigate and verify hardship exception promptly, to determined whether the hardship will be of a short term or long term period. Rent will be suspended the month following the reporting of the change. Short term hardship must have at least one of the 5 circumstances mentioned herein apply to the family. The circumstances are likely to be temporary (not more than 90 days). The tenant will be given a 90 day grace period during which they do not have to pay the minimum rent. After the expiration of the 90 days the family must be offered a reasonable repayment agreement. Failure to comply with the repayment agreement will cause termination of tenants Section 8 Housing Choice Voucher assistance. Long term hardship must have one of the 5 circumstances mentioned herein apply to the family. The circumstances are likely to last for more than 90 days. The minimum rent is suspended until the circumstance change in a such a way that they no longer that they no longer qualify for a hardship exception. The tenant does not have to repay the suspended rent.

B. DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT

The HA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, the HA must count the income of the spouse or the head of the household if that person is temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The HA will evaluate absences from the unit using this policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the HA will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

Families are required both to notify the HA before they move out of a unit and to give the HA information about any family absence from the unit.

Families must notify the HA if they are going to be absent from the unit for more than 60 consecutive days.

HUD regulations require the HA to terminate assistance if the entire family is absent from the unit for a period of more than 180 consecutive calendar days.

Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the HA may:

- Write letters to the family at the unit
- Telephone the family at the unit
- Interview neighbors
- · Verify if utilities are in service

A person with a disability may request an extension of time as an accommodation, if the extension does not go beyond the HUD-allowed 180 consecutive calendar day's limit.

If the absence which resulted in termination of assistance was due to a person's disability, and the HA can verify that the person was unable to notify the HA in accordance with the family's responsibilities, and if funding is available, the HA may reinstate the family as an accommodation if requested by the family.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for 180 days except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the HA's "Absence of Entire Family" policy.

Absence due to Incarceration

If the sole member is incarcerated for more than 180 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for more than 180 consecutive days.

The HA will determine if the reason for incarceration is for drug-related or violent criminal activity.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the HA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 6 months from the date of removal of the children, the Housing Choice Voucher size will be reduced. If all children are removed from the home permanently, the certificate or Housing Choice Voucher size will be reduced in accordance with the HA's subsidy standards.

Absence of Adult

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the HA will treat that adult as a visitor for the first 90 days.

If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Housing Choice Voucher will be transferred to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the HA will review the status at 30 day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, the HA will secure verification from social services staff or the attorney as to the status.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

When the HA approves a person to reside in the unit for the child/ren, the income should be counted pending a final disposition. The HA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 6 months, the person will be considered permanently absent.

The family will be required to notify the HA in writing within 10 days when an adult family member moves out. The notice must contain a certification by the family as to whether the adult is temporarily or permanently absent.

The family member will be determined permanently absent if verification is provided.

Time extension will be granted as an accommodation upon request by a person with a disability.

If an adult child goes into the military and leaves the household, they will be considered permanently absent.

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Housing Choice Voucher size.

Visitors

Any adult not included on the HUD 50058 who has been in the unit more than 30 consecutive days, will be considered to be living in the unit as an unauthorized household member.

Absence of evidence of any other address will be considered verification that the visitor is a family member.

Statements from neighbors and/or the landlord will be considered in making the determination.

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the family and the HA may terminate assistance since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are not considered members of the household may visit for up to 90 days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than 180 days per year, the minor will be considered to be an eligible visitor and not a family member.

Reporting Additions to Owner and HA

Reporting changes in household composition to the HA is both a HUD and a HA requirement.

The family obligations require the family to request HA approval to add any other family member as an occupant of the unit and to inform the HA of the birth, adoption or court-awarded custody of a child. The family must request prior approval of additional household members in writing.

If the family does not obtain written approval from the HA, any person the family has permitted to move in will be considered an unauthorized household member.

In the event that a visitor continues to reside in the unit after the maximum allowable time, the family must report it to the HA in writing within 10 days of the maximum allowable time.

Families are required to report any additions to the household in writing to the HA within 10 days of the move-in date.

An interim reexamination will be conducted for any additions to the household.

In addition, the lease may require the family to obtain prior written approval from the owner when there are changes in family composition.

Reporting Absences to the HA

Reporting changes in household composition is both a HUD and a HA requirement.

If a family member leaves the household, the family must report this change to the HA, in writing, within 10 days of the change and certify as to whether the member is temporarily absent or permanently absent.

The HA will conduct an interim evaluation for changes which affect the TTP in accordance with the interim policy.

C. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the HA may:

- 1. Average known sources of income that vary to compute an annual income, or
- 2. Annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime that the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

D. <u>MINIMUM INCOME</u>

There is no minimum income requirement. Families who report zero income are required to complete a written certification every 90 days.

E. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the HA will calculate the Total Tenant Payment by using the following methodology and use the income figure which would result in a lower payment by the family:

(a) Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member.

OR

(b) Include the income of the person permanently confined to the nursing home and give the family the medical deductions allowable on behalf of the person in the nursing home.

F. REGULAR CONTRIBUTIONS AND GIFTS

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received every month or more frequently will be considered a "regular" contribution or gift. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, "Verification Procedures," for further definition.)

If the family's expenses exceed its known income, the HA will question the family about contributions and gifts.

G. ALIMONY AND CHILD SUPPORT

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, the HA must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

The HA will accept as verification that the family is receiving an amount less that the award is.

The HA receives verification from the agency responsible for enforcement or collection.

It is the family's responsibility to supply a certified copy of the divorce decree.

H. LUMP-SUM RECEIPTS

Lump-sum additions to Family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property loses, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments (unemployment or welfare assistance) are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt:

The HA uses a calculation method which calculates retroactively or prospectively depending on the circumstances.

The HA will calculate prospectively if the family reported the payment within 10 days and retroactively to date of receipt if the receipt was not reported within that time frame.

Prospective Calculation Methodology

If the payment is reported on a timely basis, the calculation will be done prospectively and will result in an interim adjustment calculated as follows:

The entire lump-sum payment will be added to the annual income at the time of the interim.

Retroactive Calculation Methodology

The HA will go back to the date the lump-sum payment was received, or to the date of admission, whichever is closer.

The family has the choice of paying this "retroactive" amount to the HA in a lump sum.

At the HA's option, the HA may enter into a Repayment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

I. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The HA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The HA will count the difference between the market value and the actual payment received in calculating total assets.

Assets disposed of as a result of foreclosure or bankruptcy are not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

J. CHILD CARE EXPENSES

Childcare expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time.

In the case of a child attending school, only after-hours care can be counted as childcare expenses.

Childcare expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the childcare. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source.

Allowability of deductions for childcare expenses is based on the following guidelines:

Childcare expense allowance must be less than the amount earned by the person enabled to work.

<u>Childcare for school:</u> The number of hours claimed for childcare may not exceed the number of hours the family member is attending school (including one hour travel time to and from school).

Amount of Expense: The HA will survey the local care providers in the community as a guideline. If the hourly rate materially exceeds the guideline, the HA may calculate the allowance using the guideline.

K. MEDICAL EXPENSES

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

L. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES

Applicability

Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See Chapter 12, "Recertifications.") Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995 by addition of an ineligible member are entitled to prorated assistance.

Prorated Assistance Calculation

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. Total Tenant Payment is the gross rent minus the prorated assistance.

J. REDUCTION IN BENEFITS

If the family's benefits, such as social security, SSI or TANF, are reduced through no fault of the family, the HA will use the net amount of the benefit.

If the family's benefits were reduced due to family error, omission, or misrepresentations, the HA will use the gross amount of the benefit.

N. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT

The Utility Allowance Schedule is used for Housing Choice Vouchers.

The Utility allowance is intended to help defray the cost of utilities not included in the rent and is subtracted from Total Tenant Payment to establish the family's rent to the landlord. The allowances are based on actual rates and average consumption studies, not on a family's actual consumption. The HA will review the Utility Allowance Schedule on an annual basis and revise it if needed.

The approved utility allowance schedule is given to families along with their Housing Choice Voucher. The utility allowance is based on the actual unit size selected.

Where families provide their own range and refrigerator, the HA will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance.

Where the Utility Allowance exceeds the family's Total Tenant Payment, the HA will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the tenant unless the tenant has agreed, in writing, to a payment to the utility company.

Chapter 7

VERIFICATION PROCEDURES

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment be verified by the HA. Applicants and program participants must furnish proof of their statements whenever required by the HA, and the information they provide must be true and complete. The HA's verification requirements are designed to maintain program integrity. This Chapter explains the HA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. The HA will ensure that proper authorization from the family is always obtained before making verification inquiries.

A. <u>METHODS OF VERIFICATION AND TIME ALLOWED</u>

The HA will verify information through the four methods of verification acceptable to HUD in the following order:

- 1. Third-Party Written
- 2. Third-Party Oral
- 3. Review of Documents
- 4. Certification/Self-Declaration

The HA will allow 3 weeks for return of third-party verifications and 2 weeks to obtain other types of verifications before going to the next method.

For applicants, verifications may not be more than 60 days old at the time of Certificate/Housing Choice Voucher issuance. For participants, they are valid for 120 days from date of receipt.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

Third party verification forms will not be hand carried by the family under any circumstances with the following exceptions:

The HA will not accept verifications delivered by the family [except computerized printouts from the following agencies:]

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the HA will compare the information to any documents provided by the Family. If provided by telephone, the HA must originate the call.

Review of Documents

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third party within 4 weeks, the HA will notate the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form.

The HA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

The HA will accept Faxed documents.

The HA will accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the HA will utilize the third party verification.

The HA will not delay the processing of an application beyond 90 days because a third party information provider does not return the verification in a timely manner.

Self-Certification/Self-Declaration

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification.

Self-certification means a statement/affidavit/certification and must be witnessed.

B. RELEASE OF INFORMATION

The family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information requested by the HA or HUD.

C. COMPUTER MATCHING

Where allowed by HUD and/or other State or local agencies, computer matching will be done.

D. ITEMS TO BE VERIFIED

- All income not specifically excluded by the regulations.
- Zero-income status of household.
- Full-time student status including High School students who are 18 or over.
- Current assets including assets disposed of for less than fair market value in proceeding two years.
- Child cares expense where it allows an adult family member to be employed or to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus which allow an **adult** family member to be employed.

*Identity

- U.S. citizenship/eligible immigrant status.
- Social Security Numbers for all family members 6 years of age or older.
- APreference@ status, based upon Ranking, or Local preferences.
- Familial/Marital status when needed for head or spouse definition.
- Disability for determination of preferences, allowances or deductions.

C. VERIFICATION OF INCOME

This section defines the methods the HA will use to verify various types of income.

Employment Income

Verification forms request the employer to specify the:

- Dates of employment
- Amount and frequency of pay
- Date of the last pay increase
- Year to date earnings
- Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include, in this order:

- 1. Employment verification form completed by the employer.
- 2. Check stubs or earning statements that indicate the employee's gross pay, frequency of pay or year to date earnings.
- 3. W-2 forms plus income tax return forms.

4. Self-certifications or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

Applicants and program participants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income.

In cases where there are questions about the validity of information provided by the family, the HA will require the most recent federal income tax statements.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include, in this order:

- 1. Benefit verification form completed by agency providing the benefits.
- 2. Award or benefit notification letters prepared and signed by the providing agency.
- 3. Computer report electronically obtained or in hard copy.
- 4. Bank statements for direct deposits.

Unemployment Compensation

Acceptable methods of verification include, in this order:

- 1. Verification form completed by the unemployment compensation agency.
- Computer printouts from unemployment office stating payment dates and amounts.
- 3. Payment stubs.

Welfare Payments or General Assistance

Acceptable methods of verification include, in this order:

- 1. HA verification form completed by payment provider.
- Written statement from payment provider indicating the amount of rent/ payment, start date of payments, and anticipated changes in payment in the next 12 months.
- 3. Computer-generated Notice of Action.
- 4. Computer-generated list of recipients from Welfare Department.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

- 1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
- 2. A notarized letter from the person paying the support.
- 3. Copy of latest check and/or payment stubs from Court Trustee. HA must record the date, amount, and number of the check.
- 4. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.
- 5. If payments are irregular, the family must provide:

A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A notarized affidavit from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the welfare agency for child support.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

Net Income from a Business

In order to verify the net income from a business, the HA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

1. IRS Form 1040, including:

Schedule C (Small Business)

Schedule E (Rental Property Income)

Schedule F (Farm Income)

- 2. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.
- 3. Audited or unaudited financial statement(s) of the business.
- 4. Documents such as manifests, appointment books, cashbooks, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
- 5. Family's self-certification as to net income realized from the business during previous years.

Child Care Business

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

Recurring Gifts

The family must furnish a self-certification which contains the following information:

The person who provides the gifts
The value of the gifts
The regularity (dates) of the gifts
The purpose of the gifts

Zero Income Status

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

Families who report zero income are required to complete a written certification every 90 days.

The HA may check records of other departments in the jurisdiction (such as government utilities) that have information about income sources of customers.

Full-Time Student Status

Only the first \$480 of the earned income of full time students, other than head or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income.

Verification of full time student status includes:

- 1. Written verification from the registrar's office or other school official.
- 2. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

D. <u>INCOME FROM ASSETS</u>

Acceptable methods of verification include, in this order:

Savings Account Interest Income and Dividends

Will be verified by:

- 1. Account statements, passbooks, certificates of deposit, or HA verification forms completed by the financial institution.
- 2. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
- 3. IRS Form 1099 from the financial institution, provided that the HA must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

- 1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
- Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

Net Rental Income from Property Owned by Family

- 1. IRS Form 1040 with Schedule E (Rental Income).
- 2. Copies of latest rent receipts, leases, or other documentation of rent amounts.
- Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

E. VERIFICATION OF ASSETS

Family Assets

The HA will require the necessary information to determine the current cash value, (the net amount the family would receive if the asset were converted to cash).

- 1. Verification forms, letters, or documents from a financial institution or broker.
- 2. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- 3. Real estate tax statements if the approximate current market value can be deduced from assessment.
- 4. Financial statements for business assets.
- 5. Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- 6. Appraisals of personal property held as an investment.

Assets Disposed of for Less than Fair Market Value (FMV)

During two years preceding effective date of certification or recertification

- 1. For all Certifications and Recertifications, the HA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.
- 2. If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the

market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

E. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

- 1. Written verification from the person who receives the payments is required. If the child care provider is an individual, she/he must provide a statement of the amount they are charging the family for their services.
- Verifications must specify the child care provider's name, address, telephone number, Social Security Number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.
- 3. Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Medical Expenses

Families who claim medical expenses or expenses to assist a person(s) with disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

- 1. Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
- 2. Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
- 3. Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.
- 4. For attendant care:
 - a. A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.
 - b. Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
- 5. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
- 6. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
- 7. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. HA may use this approach for Ageneral

- medical expenses@ such as regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.
- 8. The HA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

Assistance to Persons with Disabilities

1. In All Cases:

- (a) Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.
- (b) Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

- (a) Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.
- (b) Certification of family and attendant and/or copies of canceled checks family used to make payments.

3. Auxiliary Apparatus:

- (a) Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.
- (b) In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

F. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, the HA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Certificate of Birth, naturalization papers
Church issued baptismal certificate
Current, valid Driver's license
U.S. military discharge (DD 214)
U.S. passport
Voter's registration
Company/agency Identification Card
Department of Motor Vehicles Identification Card
Hospital records

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Certificate of Birth Adoption papers Custody agreement Health and Human Services ID School records

If none of these documents can be provided, a third party who knows the person may, at the HA's discretion, provide a verification.

Verification of Marital Status

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of marriage status is a marriage certificate.

Familial Relationships

The following verifications will always be required if applicable:

Verification of relationship:

Official identification showing names Birth Certificates Baptismal certificates

Verification of guardianship is:

Court-ordered assignment Affidavit of parent Verification from social services agency School records

Verification of Permanent Absence of Adult Member

- 1. If an adult member who was formerly a member of the household is reported permanently absent by the family, the HA will consider any of the following as verification:
- 2. Husband or wife institutes divorce action
- 3. Husband or wife institutes legal separation
- 4. Order of protection/restraining order obtained by one family member against another.
- 5. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.
- 6. Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
- 7. If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.

Verification of Change in Family Composition

The HA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, rehab specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare his or her status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the HA hearing is pending.

- (a) Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.
- (b) Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.
- (c) Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front back and returned to the family. The HA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the HA must request within ten days that the INS conduct a manual search.
- (d) Ineligible <u>family members</u> who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.
- (e) Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

<u>Failure to Provide</u>. If an applicant or participant family member fails to sign required declarations and consent forms or provide documents as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

<u>Time of Verification</u>. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For participants, it is done at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial HA does not supply the documents, the HA must conduct the determination.

Extensions of Time to Provide Documents. Extensions must be given for persons who declare their eligible immigration status but need time to obtain the required documents. The length of the extension shall be based on individual circumstances. The HA will generally allow up to 30 days to provide the document or a receipt issued by the INS for issuance of replacement documents.

<u>Acceptable Documents of Eligible Immigration</u>. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

Verification of Social Security Numbers

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration. If a family member cannot produce a Social Security Card, only the documents listed below showing his or her Social Security Number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security Card information provided is/are complete and accurate:

A driver's license

Identification card issued by a Federal, State or local agency

Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)

An identification card issued by an employer or trade union

An identification card issued by a medical insurance company

Earnings statements or payroll stubs

Bank Statements

IRS Form 1099

Benefit award letters from government agencies

Retirement benefit letter

Life insurance policies

Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records

Verification of benefits or Social Security Number from Social Security Administration.

New family members ages six and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the HA.

If an applicant or participant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect provided by the HA. The applicant/participant or family member will have an additional up to 60 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's assistance will be terminated.

In the case of an individual at least 62 years of age, the HA may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a physician.

G. WAITING LIST PREFERENCES

Local Preferences

Families who reside inside or whose head of household or spouse is employed within the jurisdiction of High Point, N.C., will be selected for housing assistance prior to families residing outside the jurisdiction of High Point, N.C.

Ranking Preferences

Families with a Local Preference will be ranked in the following order:

- (1) Families that have been determined to be emergencies as defined. (Displacement by disaster, such as fire or flood; displacement by government action; domestic violence; displacement to avoid reprisals; displacement by hate crimes, or as further defined by Executive Director.
- (2) Families with at least one adult who is employed. (This ranking is extended equally to elderly families or families whose head or spouse is receiving income based on their inability to work).
- (3) Families not currently receiving housing assistance.

(4)	Families currently receiving housing assistance.

Chapter 8

HOUSING CHOICE VOUCHER ISSUANCE AND BRIEFINGS

INTRODUCTION

The HA's objectives are to assure that families selected to participate are successful in obtaining an acceptable housing unit, and that they have sufficient knowledge to derive maximum benefit from the program and to comply with program requirements. When families have been determined to be eligible, the HA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, HA procedures, and how to lease a unit. The family will also receive a briefing packet which provides more detailed information about the program. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. ISSUANCE OF HOUSING CHOICE

When funding is available, the HA will issue Housing Choice Vouchers to applicants whose eligibility has been determined. The issuance of Housing Choice Vouchers must be within the dollar limitations set by the ACC budget.

The number of Housing Choice Vouchers issued must ensure that the HA stays as close as possible to 100% lease-up. The HA performs a **monthly** calculation manually to determine whether applications can be processed, the number of Housing Choice Vouchers that can be issued, and to what extent the HA can over-issue (issue more Certificates or Housing Choice Vouchers than the budget allows).

The HA may over-issue Housing Choice Vouchers only to the extent necessary to meet leasing goals. All Housing Choice Vouchers that are over-issued must be honored. If the HA finds it is over-leased, it must adjust future issuance of Certificates or Housing Choice Vouchers in order not to exceed the ACC budget limitations over the fiscal year.

B. BRIEFING TYPES AND REQUIRED ATTENDANCE

Initial Applicant Briefing

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted during group meetings.

The purpose of the briefing is to explain the documents in the Housing Choice Voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss it with potential owners and property managers.

The HA will not issue a Housing Choice Voucher to a family unless the household representative has attended a briefing and signed the Housing Choice Voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend 2 scheduled briefings, without prior notification and approval of the HA, may be denied admission based on failure to supply information needed for certification. The HA will conduct individual briefings for families with disabilities at their home, upon request by the family, if required for reasonable accommodation.

Briefing Packet

The documents and information provided in the briefing packets for both the Housing Choice Voucher programs will comply with all HUD requirements. The HA also includes other information and/or materials which are not required by HUD.

The family is provided with the following information and materials:

- 1. The term of the Housing Choice Voucher, and the HA policy for requesting extensions to the term of the Housing Choice Voucher or suspensions of the Housing Choice Voucher.
- 2. A description of the method used to calculate the assistance payment, information on payment standards (Housing Choice Voucher program), and utility allowances.
- 3. How the maximum allowable rent is determined including the rent reasonableness standard.
- 4. Guidance and materials to assist the family in selecting a unit, such as proximity to employment, public transportation, schools, shopping, and the accessibility of services. Guidance will also be provided to assist the family to evaluate the prospective unit, such as the condition, whether the rent is reasonable, average utility expense, energy efficiency, and security.
- 5. The boundaries of the geographical area in which the family may lease a unit including an explanation of portability.
- 6. The HUD lease addendum and HA sample lease.
- 7. The Request for Lease Approval form, and a description of the procedure for requesting approval for a unit.
- 8. The HA policy on providing information about families to prospective owners.
- The Subsidy Standards, when and how exceptions are made and how the Housing Choice Voucher size relates to the unit size selected.
- 9. "A Good Place to Live", a HUD brochure on how to select a unit that complies with HQS.
- 11. The HUD brochure on lead-based paint.
- 12. Information on federal, State and local equal opportunity laws including the pamphlet "Fair Housing: It's Your Right" and other information about fair housing laws and guidelines, including the "take one, take all" law; the form for reporting suspected discrimination and the phone numbers of the local fair housing agency and the HUD enforcement office.
- 13. A list of landlords or other parties willing to lease to assisted families or help in the search and/or known units available for the size Housing Choice Voucher issued.
- 14. If the family includes a person with disabilities, notice that the HA will provide assistance in locating accessible units and a list of available accessible units known to the HA.
- 15. The Family Obligations under the program.
- 16. The grounds for termination of assistance because of family action or failure to act.

- 17. When the HA is required to offer an informal hearing, how to request the hearing, and the hearing procedures.
- An HQS checklist.
- 19. Procedures for notifying the HA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair.
- 20. Requirements for reporting changes between certifications.
- 21. Information on security deposits.

Other Information to be Provided at the Briefing

The person conducting the briefing will also describe how the program works and the relationship between the family and the owner, the family and the HA, and the HA and the owner.

The briefing presentation emphasizes:

Family and owner responsibilities

Where a family may lease a unit inside and outside its jurisdiction

How portability works for families eligible to exercise portability

Advantages to moving to area with low concentration of poor families if family is living in a high poverty census tract in the HA's jurisdiction

Exercising choice in residency

Choosing a unit carefully and only after due consideration.

The Family Self-Sufficiency program and its advantages.

If the family includes a person with disabilities, the HA will ensure compliance with CFR 8.6 to ensure effective communication.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

At the briefing, families are encouraged to search for housing in non-impacted areas and the HA will provide assistance to families who wish to do so.

The assistance provided to such families includes:

Direct contact with landlords.

Counseling with the family.

Providing information about services in various non-impacted areas.

Meeting with neighborhood groups to promote understanding.

Formal or informal discussions with landlord groups

Formal or informal discussions with social service agencies

Meeting with rental referral companies or agencies

Meeting with fair housing groups or agencies

The Housing Authority will maintain lists of available housing submitted by owners in all neighborhoods within the Housing Authority's jurisdiction to ensure greater mobility and housing choice to very low income households. The lists of owners/units will be provided at the front desk and provided at briefings.

D. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

Fair Housing Laws

In compliance with Section 147 of the National Affordable Housing Act, no owner who has entered into a contract for housing assistance payments under this section on behalf of any tenant in a multifamily building (more than four units) shall refuse to lease any available dwelling unit in any multifamily building owned by the same owner to a Housing Choice Voucher holder solely because of their status as a Housing Choice Voucher holder.

The HA provides the family with the HUD discrimination complaint form and directs the family to report suspected discrimination to HUD.

<u>Take One - Take All</u>: In compliance with Section 174 of the National Affordable Housing Act, if an owner who already has a unit in any multifamily building (more than four units) denies a Housing Choice Voucher holder admission to any multifamily building *solely* on the basis of their status as a Housing Choice Voucher holder, the owner will be reported to HUD Fair Housing Complaints Office and barred from future participation.

E. SECURITY DEPOSIT REQUIREMENTS

Leases Effective Prior to October 2, 1995

The amount of Security Deposit which could have been collected by owners under contracts effective prior to October 2, 1995 is:

For the Housing Choice Voucher program, the owner, at his/her discretion, could have collected a Security Deposit in an amount not to exceed one month's contract rent.

Leases Effective on or after October 2, 1995

Security deposits charged by owners may not exceed those charged to unassisted tenants nor the maximum prescribed by State or local law, generally one month's contract rent.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

F. TERM OF HOUSING CHOICE VOUCHER

During the briefing session, each household will be issued a Housing Choice Voucher which represents a contractual agreement between the HA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program that occurs when the lease and contract become effective.

Expirations

The Housing Choice Voucher is valid for a period of sixty calendar days from the date of issuance. The family must submit a Request for Lease Approval and Lease within the sixty-day period unless an extension has been granted by the HA.

If the Housing Choice Voucher has expired, and has not been extended by the HA or expires after an

extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

Suspensions

When a Request for Lease Approval is received, the HA will deduct the number of days required to process the request from the 60 day term of the Housing Choice Voucher.

Extensions

The HA may grant extensions to certificates or Housing Choice Vouchers.

A family may request an extension of the Housing Choice Voucher time period. All requests for extensions must be received prior to the expiration date of the Housing Choice Voucher.

The HA extends in one or more increments. No more than 2 extensions of 30 days or less will be granted and never for a total of more than an additional sixty days.

Assistance to Housing Choice Voucher Holders

Families who require additional assistance during their search may call the HA Office to request assistance. Certificate and Housing Choice Voucher holders will be notified at their briefing session that the HA periodically updates the listing of available units and how the updated list may be obtained.

The HA will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

G. INTERCHANGEABILITY BETWEEN CERTIFICATE AND HOUSING CHOICE VOUCHER

Interchangeability of Housing Choice Vouchers is not required by HUD and will not be considered by the HA except in cases of emergency.

H. HOUSING CHOICE VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS

In those instances when a family assisted under the Section 8 program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the HA shall consider the following factors to determine which of the families will continue to be assisted:

- 1. Which of the two new family units has custody of dependent children.
- 2. Which family member was the head of household when the Housing Choice Voucher was initially issued (listed on the initial application).
- The composition of the new family units, and which unit contains elderly or disabled members.
- 4. Whether domestic violence was involved in the breakup.
- 5. Which family members remain in the unit.
- 6. Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the HA will terminate assistance based on failure to provide information necessary for a recertification.

Where the breakup of the family also results in a reduction of the size of the Certificate, the family will be required to move to a smaller unit if the current landlord is unwilling to accept the rent level of the smaller sized certificate.

I. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF HOUSING CHOICE VOUCHER

To be considered the remaining member of the tenant family, the person must have been previously approved by the HA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

- 1. The court has to have awarded emancipated minor status to the minor, or
- 2. The HA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child/ren for an indefinite period.

A reduction in family size may require a reduction in the Housing Choice Voucher size.

REQUEST FOR APPROVAL OF ASSISTED TENANCY AND CONTRACT EXECUTION

INTRODUCTION

After families are issued a Housing Choice Voucher, they may search for a unit anywhere within the jurisdiction of the HA, or outside of the HA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with the HA. This Chapter defines the types of eligible housing, the HA's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests For Approval of Assisted Tenancy (AOT).

A. REQUEST FOR APPROVAL OF ASSISTED TENANCY

The Request for Approval of Assisted Tenancy (AOT) and a copy of the proposed Lease must be submitted by the family during the term of the Housing Choice Voucher.

The Request for Approval of Assisted Tenancy must be signed by both the owner and Housing Choice Voucher holder. The lease may be executed up to 60 days prior to contract execution but cannot be executed without approval of the HA.

The HA will not permit the family to submit more than one RLA at a time.

The HA will review the documents to determine whether or not they are approvable. For the Certificate Program, the HA will determine that the Gross Rent is within the applicable FMR (unless an exception rent is approved).

The Request will be approved if:

- 1. The unit is an eligible type of housing
- 2. The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)
- 3. The rent is reasonable
- 4. The security deposit is approvable
- 5. The proposed lease complies with HUD and HA requirements and State and Local Law.
- 6. The owner is approvable, and there are no conflicts of interest.

Disapproval of AOT

If the HA determines that the Request cannot be approved for any reason, the landlord and the family will be notified in writing. The HA will instruct the owner and family of the steps that are necessary to approve the Request.

The owner will be given 30 calendar days to submit an approvable RLA from the date of disapproval.

When, for any reason, an RLA is not approved, the HA will furnish another RLA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing.

The time limit on the Housing Choice Voucher will be suspended while the RLA is being processed.

B. ELIGIBLE TYPES OF HOUSING

TYPES OF HOUSING ON WICH THE HA WILL PROVIDE ASSISTANCE

The HA will approve any of the following types of housing in the Housing Choice Voucher programs:

- 1. All structure types can be utilized.
- Manufactured homes where the tenant leasesthe mobile home and the pad.

The HA will permit a family to lease a manufactured home and space with assistance under the program. The HA will not provide assistance for a family that owns the manufactured home and leases only the space.

The HA may approve a live-in aide to reside with a family to care for a person with disabilities. The HA will approve a live-in aide if needed as a reasonable accommodation so that the program is accessible to and usable by persons with disabilities. If the HA approves a live-in aide, the live-in aide must be counted when determining the family unit size.

A manufactured home must meet all the HQS requirements outlined in Chapter Ten and regulated by 24 CFR 982.401. In addition, the manufactured home also must meet the following:

Manufactured home must be placed on the site in a stable manner, and must be free from hazards such as sliding or wind damage.

A manufactured home must be securely anchored by a tie-down device that distributes and transfers the loads imposed by the unit to appropriate ground anchors to resist wind overturning and sliding.

3. Single Room Occupancy:

Rent and Housing Assistance Payment:

The FMR/exception rent limit for SRO housing is 75 percent of the zero bedroom FMR/exception rent limit.

The HA SRO Housing Choice Voucher payment standard will not exceed the FMR/exception rent limit for SRO housing. While an assisted person resides in SRO housing, the SRO payment standard must be used to calculate the housing assistance payment.

If an assisted person resides in a SRO with assistance under the OFTO program, the payment standard for the person is the SROFMR/exception rent limit.

The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero bedroom utility allowance.

The HA will ensure that all SRO units approved for the program are in compliance with all of the Housing Quality Standards for SROs as regulated in 24 CFR 982.605.

4. Congregate Housing

An elderly person or a person with disabilities may reside in a congregate housing unit.

The HA may approve a family member or live-in aide to reside with the elderly person or person with disabilities.

The HA will approve a line-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

For congregate housing there will be a separate lease and HAP contract for each assisted family.

Unless there is a live-in aide, the FMR/exception rent limit for a family that resides in a congregate housing unit is the one bedroom FMR/exception rent limit.

However, if there are two or more rooms in the unit (not including kitchen or sanitary facilities), the FMR/exception rent limit for a family that resides in a congregate housing unit is the one bedroom FMR/exception rent limit.

If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

The HA will ensure that all congregate housing units approved for the program are in compliance with all of the Housing Quality Standards for congregate housing as regulated in 24 CFR 982.609.

5. Independent Group Residences

The group home must be licensed, certified, or otherwise approved in writing by the State, or the State's licensing department. (24 CFR 982.612)

An elderly person or a person with disabilities may reside in a State-approved group home. If approved by the HA, a live-in aide may reside with a person with disabilities.

The HA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities. Except for a live-in aide, all residents of a group home must be elderly persons or persons with disabilities.

The HA will not approve assistance for a person to live in a group home if file documentation indicates that the person is in need of continual medical or nursing care.

No more than twelve persons may reside in a group home. This limit covers all persons who reside in the unit, including assisted and unassisted residents and any live-in aide.

There will be a separate HAP contract and lease for each assisted person living in a group home. For a group home the term "pro-rata portion" means that which is derived by dividing the number of persons in the assisted household by the total number of residents) assisted and unassisted) residing in the group home. The number of persons in the assisted household equals one assisted person plus any HA- approved live-in aide.

The rent to owner for an assisted person may not exceed the pro-rata portion of the reasonable rent for the group home.

The reasonable rent for a group home is determined in accordance with 982.503. In determining reasonable rent the HA will consider whether sanitary facilities, and facilities for food preparation and service, are common facilities or private.

Unless there is a live-in aide, the family unit size is one bedroom. If there is a live-in aide, the live-in aide will be counted in determining the family unit size.

In a regular tenancy for a person who resides in a group home, the initial gross rent may not

exceed either the FMR/exception rent limit for the family unit size or the pro- rata portion of the FMR/exception rent limit for the group home size.

For the OFTO Program, the payment standard for a person who resides in a group home is the owner of the FMR/exception rent limit for the family unit size, or the pro-rata portion of the FMR/exception rent limit for the group home size.

The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

The HA will ensure that all group home units approved for the program are in compliance with all of the Housing Quality Standards for group homes as regulated in 24 CFR 982.614.

The HA has no HUD approved area exception rents.

The HA will approve exception rents up to 110 percent of the published Fair Market Rents, and with HUD's approval up to 120 percent as a reasonable accommodation for a disabled family member.

- The appropriate Payment Standard for the family must be the lower of:
- The Payment Standard for the family Housing Choice Voucher size; or
- The Payment Standard for the unit rented by the family.
- The Total Tenant Payment (TTO) shall be the greater of:
- 30% of family monthly adjusted income;
- 10% of family monthly income; or
- \$50.00 minimum rent.

2. TYPES OF HOUSING ON WHICH THE HA WILL NOT PROVIDE ASSISTANCE.

The HA will not approve any of the following types of housing for assistance under the Section 8 Housing Choice Voucher Programs:

Nursing homes or other institutions that provide care

School dormitories and institutional housing

A unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family holding the Housing Choice Voucher, unless the HA determined that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities.

Shared Housing

Cooperative (including mutual housing)

Over Fair Market Rent Tenancy (except as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities in accordance with Section B., 1., (c) above.

A unit which is receiving Project-Based Section 8 assistance or any duplicative rental subsidies.

Any types of housing prohibited by HUD.

C. LEASE REVIEW

The HA will review the lease, particularly noting the approvability of optional charges and compliance with regulations and State/local law. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request for Approval of Assisted Tenancy.

Owners must submit their own lease or permit the HA to provide some guidance for assisting them in obtaining a lease. The HA will provide a HUD Tenancy Addendum to accompany the owner's lease.

Separate Agreements

Separate agreements are not necessarily illegal side agreements. Families and owners will be advised of the prohibition of illegal side payments for additional rent, or items normally included in the rent of unassisted families, or for items not shown on the approved lease.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease if the agreement is in writing and approved by the HA.

Any appliances, services or other items that are routinely provided to unassisted families as part of the lease (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the lease. For a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

The HA is not liable for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the lease approved by the HA. If agreements are entered into at a later date, they must be approved by the HA and attached to the lease.

The HA will not approve separate agreements for modifications to the unit for persons with disabilities. The modifications are usually within the dwelling and are critical to the use of the dwelling.

D. INITIAL IINSPECTIONS

See Chapter 10, "Housing Quality Standards and Inspections."

E. <u>RENT LIMITATIONS</u>

The HA will approve an exception rent up to 110 percent of the FMR, and/or seek HUD approval up to 120 percent for a particular family if necessary as a reasonable accommodation so that the unit is useable by and for and accessible to a family member with a disability.

For the Housing Choice Voucher program, the HA will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

Family pays the greatest of: 30 percent of monthly adjusted income
10 percent of monthly income
HA minimum rent (Hardship exemptions do apply)

Any new admission or any family who moves may not pay more than 40 percent of adjusted monthly income toward initial rent for the unit. (Limit applies only at the time of initial leasing of a unit, not after).

Example: Annual Income = \$12,000

Adjusted Income = \$11,042/12 = \$920/mo 40% Limit \$920 x 40% = 368

F. DISAPPROVAL OF PROPOSED RENT

In any of the programs, if the proposed Gross Rent is not reasonable, at the family's request, the HA will negotiate with the owner to reduce the rent to a reasonable rent.

- 1. At the family's request, the HA will negotiate with the owner to reduce the rent or include some or all of the utilities in the Contract Rent.
- 2. Of the owner is not willing to adjust the rent and the HA has determined the rent to be reasonable, the HA will determine whether the rent is within 120 percent of the FMR. If so the HA will determine whether approval of an exception rent is necessary as a reasonable accommodation to make the program useable by and accessible to a family member with a disability.

If the rent can be approved by taking the above steps, the HA will continue processing the Request for Approval of Assisted Tenancy and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Approval of Assisted Tenancy must be submitted by the owner.

If the owner does not agree on the Contract Rent after the HA has tried and failed to negotiate a revised rent, the HA will inform the family and owner that the lease is disapproved.

G. INFORMATION TO OWNERS

The HA is required to provide prospective owners with the address of the applicant and the names and addresses of the current and previous landlord if known.

The HA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

The HA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, eviction history, damage to units, and other factors related to the family's suitability as a tenant.

H. OWNER DISAPPROVAL

For purposes of this section, "owner" includes a principal or other interested party.

The HA will disapprove the owner for the following reasons:

HUD has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

HUD has informed the HA that the federal government has instituted an administrative or judicial

action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

HUD has informed the HA that a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements.

The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

The owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.

The owner has engaged in drug related or violent criminal related activity.

The owner has a history of failing to terminate tenancy for drug related or violent criminal activity or other threatening activity.

The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program.

The owner has a history or practice of renting units that fail to meet State or local housing codes.

The owner has not paid State or local real estate taxes, fines or assessments.

I. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the Total Tenant Payment (TTP) prior to the effective date of the HAP contract, the information will be verified and the TTP will be recalculated. If the family does not report any change, the HA need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 days old.

J. CONTRACT EXECUTION PROCESS

The HA prepares the Housing Assistance Contract for execution. The family and the owner will execute the Lease agreement, and the owner and the HA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents.

The HA provides individual briefings for new owners if requested.

The HA makes every effort to execute the HAP Contract before the commencement of the lease term. The HAP Contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

Owners must provide an Employer Identification Number or Social Security Number.

The owner must provide a business or home telephone number.

K. CHANGE IN OWNERSHIP

A change in ownership does not require execution of a new contract.

The HA will process a change of ownership only upon the written request of the new owner and only if accompanied by a copy of the escrow statement or other document showing the transfer of title and the

address to which payment is to be sent.	, in the great page 1
The HA must receive a written request by the old owner in ord	

HOUSING QUALITY STANDARDS AND INSPECTIONS

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit.

These minimum Standards may be enhanced by the HA, provided that by doing so, the HA does not overly restrict the number of units available for lease under the program. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and HA requirements. This Chapter describes the HA's procedures for performing HQS and other types of inspections, and standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of noncompliance with HQS requirements for both families and owners.

A. GUIDELINES/TYPES OF INSPECTIONS

The HA has adopted local requirements of acceptability in addition to those mandated by the HUD Regulations.

Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards.

The HA will allow the stove and refrigerator to be placed in the unit after the inspection if the family certifies the appliances are working according to the Housing Quality Standards. The HA will not conduct a reinspection.

There are five types of inspections the HA will perform:

- 1. Initial/Move-in: Conducted within 15 days upon receipt of Request for Approval of Assisted Tenancy (AOT).
- 2. Annual: Must be conducted at least every 12 months.
- 3. Special/Complaint: At request of owner, family or an agency or third-party.
- 4. Move-Out/Vacate: At landlord's request/ for contracts effective before 10/2/95 only]
- 5. Quality Control: A quality control inspection will be conducted for 5 percent of all units which have been inspected.

B. ACCEPTABILITY CRITERIA AND EXCEPTIONS TO HQS

The HA adheres to the acceptability criteria in the program regulations and HUD Inspection Booklet with the additions described below:

Additions to HQS:

Windows:

All operable windows must have a properly fitting screen in good condition.

C. INSPECTIONS

The HA conducts an inspection in accordance with Housing Quality Standards at least annually. Special inspections may be scheduled between anniversary dates.

HQS deficiencies that cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible. The family is only responsible for breaches of HQS that are caused by:

Non-payment of utilities paid by the family (Contracts entered into after 10-2-95)

Not providing, or failing to maintain, appliances not provided by the owner, and

Damages to the unit or premises caused by a household member or guest beyond normal wear and tear.

The family must allow the HA to inspect the unit at reasonable times with reasonable notice.

Reasonable hours to conduct an inspection are between 9:00 a.m. and 4:30 p.m.

The HA will notify the family in writing at least 5 days prior to the inspection.

Inspection: The family and owner are notified of the date and time of the inspection appointment by mail. If the family is unable to be present, they must reschedule the appointment so that the inspection is completed within 30 days.

If the family does not contact the HA to reschedule the inspection, or if the family misses 2 inspection appointments, the HA will consider the family to have violated a Family Obligation and their assistance may be terminated in accordance with the termination procedures in the Plan.

<u>Reinspection</u>: The family and owner are mailed a notice of the inspection appointment. If the family is not at home for the reinspection appointment, a card will be left at the unit and another appointment is automatically scheduled. The appointment letter contains a warning of abatement.

The family is also notified that it is a Family Obligation to allow the HA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 15, "Denial or Termination of Assistance," they will be advised of their responsibility for correction.

Time Standards for Repairs

- 1. Emergency items which endanger the family's health or safety must be corrected within 24 hours of notification.
- For non-emergency items, repairs must be made within 30 days.
- 3. For major repairs, the Section 8 Director may approve an extension beyond 30 days.

D. EMERGENCY REPAIR ITEMS

The following items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of notice by the Inspector:

Lack of security for the unit
Waterlogged ceiling in imminent danger of falling
Major plumbing leaks or flooding
Natural gas leak or fumes
Electrical problem which could result in shock or fire
No heat

Utilities not in service
No running hot water
Broken glass where someone could be injured
Obstacle which prevents tenant's entrance or exit
Lack of functioning toilet

The HA may give a short extension whenever the responsible party cannot be notified or it is impossible to effect the repair within the 24-hour period.

In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to effect the repair, proper authorities will be notified by the Participant.

If the emergency repair item(s) are not corrected in the time period required by the HA, and the owner is responsible, the housing assistance payment may be abated and the HAP contract may be terminated.

If the emergency repair item(s) are not corrected in the time period required by the HA, and it is an HQS breach which is a family obligation, the HA will terminate the assistance to the family and the owner's payment will not be abated for the breach of HQS.

E. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS)

When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner is responsible for completing the necessary repair(s) in the time period specified by the HA, the assistance payment to the owner may be abated.

Abatement

A Notice of Abatement will be sent to the owner, and the abatement will be effective from the day after the date of the failed inspection.

The HA will inspect abated units within 5 days of the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

The family and the owner will be notified of the reinspection date.

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS. The notice of abatement states that the tenant is not responsible for the HA's portion of rent that is abated.

Extension of time

The HA will grant an extension in lieu of abatement in the following cases:

There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.

The owner makes a good faith effort to make the repairs.

The repairs must be delayed due to climate conditions.

The extension will be made for a period of time not to exceed 180 days. At the end of that time, if work is not completed, the HA will begin the abatement and/or termination of assistance.

Termination of Contract

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abatement period, the owner will be sent a HAP Contract Termination notice. Prior to the effective date of the termination, the abatement will remain in effect.

If repairs are completed before the effective termination date, the termination may be rescinded by the HA if the tenant chooses to remain in the unit.

F. DETERMINATION OF RESPONSIBILITY

Certain deficiencies are considered the responsibility of the family:

Tenant-paid utilities not in service.

Failure to provide or maintain family-supplied appliances

Damage to the unit or premises caused by a household member or guest beyond normal wear and tear

Normal wear and tear is defined in Chapter 17, "Claims, Move-Out and Close-Out Inspections."

The owner is responsible for all other HQS violations.

The owner is responsible for the correction of vermin infestation even if caused by the family's living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The HA may terminate the family's assistance on that basis.

The inspector will make a determination of owner or family responsibility during the inspection. The owner or tenant may appeal this determination to a mediator within 10 days of the inspection.

If the family is responsible but the owner carries out the repairs, the owner will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

G. <u>CONSEQUENCES IF FAMILY IS RESPONSIBLE</u>

If non-emergency violations of HQS are determined to be the responsibility of the family, the HA will require the family make any repair(s) or corrections within 30 days. If the repair(s) or correction(s) are not made in this time period, the HA will terminate assistance to the family. Extensions in these cases must be approved by Section 8 Inspector. The owner's rent will not be abated for items that are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

H. INITIAL HQS INSPECTION

The Initial Inspection will be conducted within 15days upon receipt of the AOT to:

Determine if the unit and property meet the HQS defined in this Plan.

Document the current condition of the unit as a basis to evaluate whether the future condition of the unit exceeds normal wear and tear.

Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the family and owner will be advised to notify the HA once repairs are completed.

On an initial inspection, the owner will be given up to 30 days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done.

If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed reinspections has occurred, the family must select another unit.

I. ANNUAL HQS INSPECTION

Rent Increases

The HA will conduct an inspection using the Housing Quality Standards and other standards approved in this Administrative Plan at least annually, prior to the anniversary month of the contract. Contract rent increases in the Certificate program may not be given until the unit passes the HQS. Rent increase requests in the Housing Choice Voucher program will not be approved if the unit is in a failed condition.

J. SPECIAL/COMPLAINT INSPECTIONS

If at any time the family or owner notifies the HA that the unit does not meet Housing Quality Standards, the HA will conduct an inspection.

The HA may also conduct a special inspection based on information from third parties such as neighbors or public officials.

The HA will inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

K. QUALITY CONTROL INSPECTIONS

Quality Control inspections will be performed by the Section 8 Director on 5 percent of the units of each inspector. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

INTRODUCTION

The HA is responsible to ensure that the rents charged by owners are reasonable based upon objective comparables in the rental market. When the HA has determined that the unit meets the minimum HQS, that the lease is approvable, and that the rent is reasonable, it will make timely payments to the owner and notify the owner of the procedures for rent adjustments in the Housing Choice Voucher programs. This Chapter explains the HA's procedures for determination of rent-reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. OWNER PAYMENT IN THE HOUSING CHOICE VOUCHER PROGRAM

The maximum subsidy for each family is determined by the Payment Standard for the Housing Choice Voucher size issued to the family, less 30% of the family's Monthly Adjusted Income. The actual subsidy level could be less if the family is required to pay the Minimum Total Tenant Payment (10% of the family's Monthly Income).

The Housing Choice Voucher size issued to the family is based on the HA's Subsidy Standards. The payment standard for the family is based on the lesser of the Payment Standard for the Housing Choice Voucher size issued and the Payment Standard for the unit selected.

The Housing Assistance Payment to the owner is the lesser of the subsidy described above or the rent charged by the owner.

B. MAKING PAYMENTS TO OWNERS

Once the HAP Contract is executed, the HA begins processing payments to the landlord. The effective date and the amount of the HA payment is communicated by letter. A HAP Register will be used as a basis for monitoring the accuracy and timeliness of payments. HAP payment must be post marked by the 5th working day of each month. For new admissions, after it has been determined that the unit pass HQS and the lease and contract has been properly executed by all parties, HAP payment should be post marked by the 7th working day of the month, or payment will be consider late. The landlord can assess a late charge in accordance with the accepted practice in the local market. Changes are made automatically to the HAP Register for the following month. Checks are disbursed by the finance department to the owner each month.

Checks may not be picked up by owner at the HA.

C. RENT REASONABLENESS DETERMINATIONS

Rent reasonableness determinations are made when units are placed under HAP Contract for the first time, when owners request annual or special contract rent adjustments under the Certificate Program, and when an owner requests a rent increase in the Housing Choice Voucher Program.

For the Housing Choice Voucher Programs, the HA will determine and document on a case-by-case basis that the approved rent:

• Does not exceed rents currently charged by the same owner for an equivalent assisted or unassisted

unit in the same building or complex, and

 Is reasonable in relation to rents currently charged by other owners for comparable units in the unassisted market.

At least 2 comparable units will be used for each rent determination, one of which must be from the first category above if possible. All comparables must be based on the rent that the unit would command if leased in the current market. Leased in the current market means that the unit has been leased within the last 12 months.

The data for other unassisted units will be gathered from **newspapers**, **Realtors**, **professional associations**, **inquiries of owners**, **market surveys**, **and other available sources**.

The market areas for rent reasonableness are neighborhoods within the HA's jurisdiction. Subject units within a defined housing market area will be compared to similar units within the same area.

The following items will be used for rent reasonableness documentation:

Number of Bedrooms

Facilities

Location

Number of Bathrooms

Quality

Amenities

Date Built

Unit Type

Management and Maintenance Services

The HA maintains an automated database which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis.

D. PAYMENT STANDARDS FOR THE HOUSING CHOICE VOUCHER PROGRAM

The Payment Standard is initially set by the HA at the Fair Market Rent in effect at the time the Annual Contributions Contract for the first increment of Housing Choice Voucher funding is approved by HUD. The Payment Standard is used to determine the maximum subsidy which can be paid by the HA on behalf of the family.

E. ADJUSTMENTS TO PAYMENT STANDARDS

Payment Standards may be adjusted to increase Housing Assistance Payments in order to keep families' rents affordable. The HA has elected to use the current Fair Market Rent as their Payment Standard. Payment Standards will be adjusted annually according to the current Fair Market Rent.

Availability of Suitable Vacant Units Below the Payment Standard

The HA will review its rent reasonableness database and vacancy rate data to determine whether there is an ample supply of vacant units below the Payment Standard.

Quality of Units Selected

The HA will review the quality of units selected by participant families before determining any change to the Payment Standard to ensure that Payment Standard increases are only made when needed to reach

the mid-range of the market.

Rent to Owner Increases

The HA may review a sample of the units to determine how often owners are increasing rents after the first year of the lease and the average percent of increase by bedroom size. The sample will be divided into units with and without the highest cost utility included.

A comparison will then be made to the applicable annual adjustment factor to determine whether owner increases are excessive in relation to the published annual adjustment factor.

Rent Reasonableness Data Base/Average Contract Rents

The HA will compare the Payment Standards to average rents in its Rent Reasonableness Data Base and to the average Contract Rents by unit size. The Payment Standards should be on a par with these amounts.

Lowering of the Payment Standard

Statistical analysis may reveal the Payment Standard should be lowered, in which case, the Payment Standard should not be less than 90% of the current FMR. If the FMR is lowered, the Payment Standard may not exceed the FMR except in those cases where families are held harmless until they move to a different dwelling unit or have a change in family composition which would affect their Housing Choice Voucher size.

Financial Feasibility

Before increasing the Payment Standard, the HA may review the budget and the project reserve, to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, the HA will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

File Documentation

A file will be retained by the HA for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

F. RENT ADJUSTMENTS

Housing Choice Voucher Program

Owners may not request rent adjustments in the Housing Choice Voucher Program to be effective prior to the expiration of the first year of the lease. Rent adjustments are effective:

On the anniversary date following a signed sixty-day notice that the participant has been notified of the rent adjustment.

RECERTIFICATIONS

INTRODUCTION

HUD requires that the HA recertify the income and household composition of all families at least annually. In addition, the HA is required to inspect the assisted unit at least annually. These activities must be coordinated to ensure that they are completed in accordance with the regulation. It is a HUD requirement that families report all changes in household composition, but the HA decides what other changes must be reported, and the procedures for reporting them. This Chapter defines the HA's policy for conducting annual recertifications and coordinating the three annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES

There are two activities the HA must conduct on an annual basis. These activities will be coordinated whenever possible:

- Recertification of Income and Family Composition
- HQS Inspection

The HA produces a monthly listing of units under contract to ensure that timely reviews of contract rent, housing quality, and factors related to Total Tenant Payment can be made. Requests for rent adjustments and other monetary changes will be transmitted to the Finance Department.

Annual activities for contracts that did not commence on the first of the month must be conducted no later than the first of the month in which the lease was effective.

Annual inspections: See Chapter 10, "Housing Quality Standards and Inspections"

Rent Adjustments: See Chapter 11, "Owner Rents, Rent Reasonableness and Payment Standards"

B. ANNUAL RECERTIFICATION/REEXAMINATION

Families are required to be recertified at least annually. At the first interim or annual certification on or after June 19, 1995, family members must report and verify their U.S. citizenship/eligible immigrant status.

When families move to another dwelling unit:

An annual recertification will be scheduled (unless a recertification has occurred in the last 120 days) and the anniversary date will be changed.

Income limits are not used as a test for continued eligibility at recertification unless the family is moving under portability and changing their form of assistance.

Reexamination Notice to the Family

The HA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 120 days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the HA will provide the notice in an accessible format. The HA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by

Procedure

The HA's procedure for conducting annual recertifications will be:

Schedule the date and time of appointments and mail a notification to the family.

Persons with Disabilities

Persons with disabilities, who are unable to come to the HA's office will be granted an accommodation of conducting the interview at the person's home or by mail, upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information

The PHA representative will interview the family and enter the information provided by the family on the recertification form.

Requirements to attend

The following family members will be required to attend the recertification interview:

All adult household members

If the head of household is unable to attend the interview:

The appointment will be rescheduled

Failure to Respond to Notification to Recertify

The written notification must state which family members are required to attend the interview. The family may call to request another appointment date.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the HA, the HA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the HA may Terminate assistance to the family, and offer them an informal hearing.

Exceptions to these policies may be made if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

Documents Required From the Family

In the notification letter to the family, the HA will include instructions for the family to bring the following:

- Documents to support any preference claims
- Documentation of income for all family members
- Documentation of liquid and non-liquid assets
- Documentation of any deductions/allowances

Verification of Information

The HA will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than 120 days old.

Tenant Rent Increases

Rent increases will be effective the first of the second month following the change. A thirty-day notice will be mailed to the family prior to the effective date.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date.

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the first of the month following the date the change was reported.

A thirty-day notice will be mailed to the family prior to the effective date.

If the family causes a delay so that the processing of the reexamination is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the reexamination processing by the HA.

C. REPORTING INTERIM CHANGES

HUD requires program participants to report all changes in household composition to the HA between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain HA approval prior to all other additions to the household.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

Increases in Income

Interim Reexamination Policy

Changes in rent made for reasons other than reexamination shall be made if:

- It is necessary to correct any error made by a previous rent determination.
- A reduction in family income has occurred which is expected to continue for a period of more than 30 days.
- The Resident or any member of the resident's family, 18 years or older, not previously employed, becomes employed.
- When a new member is added to the family composition, and has income.
- The Resident or any member of the Resident's family who previously was not receiving government assistance in the form of TANF, Work First, Social Security Benefits, SSI, Unemployment Benefits, etc., begins to receive such benefits.

The Resident agrees to report his or her, or any member of the Resident's family who is age 18 or older newly acquired government assistance to the PHA within 10 days of the date of receiving such benefits.

Decreases in Income

Participants <u>may</u> report a decrease in income and other changes, which would reduce the amount of tenant rent, such as an increase in allowances or deductions. The HA must calculate the change if a decrease in income is reported.

HA Errors

If the HA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted to correct the error, but the family will not be charged retroactively.

Other Interim Reporting Issues

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination will be scheduled for families with zero/unstable income every 90 days.

Any changes reported by participants other than those listed in this section will be notated in the file by the staff person but will not be processed between regularly scheduled annual recertifications.

D. NOTIFICATION OF RESULTS OF RECERTIFICATIONS

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Rent Change is mailed to the owner and the tenant. If the family disagrees with the rent adjustment they may request an informal hearing.

E. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

Standard for Timely Reporting of Changes

The HA requires that families report interim changes to the HA within 10 days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 10 days of the change.

If the change is not reported within the required time period, or if the family fails to provide documentation or signatures, it will be considered untimely reporting.

Procedures when the Change is Reported in a Timely Manner

The HA will notify the family and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:

<u>Increases in the Tenant Rent</u> are effective on the first of the second month following the change, following at least thirty days' notice.

<u>Decreases in the Tenant Rent</u> are effective the first of the month following that in which the change was reported. However, no rent reductions will be processed until all the facts have been verified, even if a retroactive adjustment results, with the exception of the Minimum Rent Hardship exemption request. For Minimum rent Hardship exemptions, the HA will suspend payment beginning the next month following the family's request. The family is not required to pay during this period. HA must promptly determine if hardship exist, and if it is temporary or long term. Temporary Hardship (90 days) will require a repayment agreement, Long term Hardship will not.

* The change will not be made until the third party verification is received.

Procedures when the Change is Not Reported by the Tenant in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

<u>Increase in Tenant Rent</u> will be effective retroactive to the date it would have been effective had it been reported on a timely basis.

<u>Decrease in Tenant Rent</u> will be effective on the first of the month following the date the change occurred.

Procedures when the Change is Not Processed by the HA in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the HA in a timely manner.

In this case, an increase will be effective after the required thirty days' notice.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

F. REPORTING OF CHANGES IN FAMILY COMPOSITION

All changes in family composition must be reported within 10 days of the occurrence.

Increases in Family Size

Increases other than by birth, adoption or court-awarded custody must have the prior approval of the owner and the HA.

If an addition would result in overcrowding according to HQS maximum occupancy standards:

The HA will issue a larger Housing Choice Voucher (if needed under the Subsidy Standards) for additions to the family.

If a change requires a larger size unit due to overcrowding, the change Housing Choice Voucher shall be made effective immediately. The HA may determine whether to issue a Housing Choice Voucher in this instance based on funding availability. If there is no funding availability in either program, the family will be placed on the Transfer list.

G. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

- The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND
- All members of the family other that the head, the spouse, parents of the head, parents of the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

If they do not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, the family may choose prorated assistance (See Chapter 6, "Factors Related to Total Tenant Payment Determination"), or the HA may offer temporary deferral of termination (See Chapter 15, "Denial or Termination of Assistance").

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the HA's jurisdiction, or to a unit outside of the HA's jurisdiction under Portability procedures. The regulations also allow the HA the discretion to develop policies which define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of, the HA's jurisdiction, and the policies for restriction and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit if:

- The assisted lease for the old unit has terminated because the HA has terminated the HAP
 contract for owner breach, or the lease was terminated by mutual agreement of the owner and the
 family.
- The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family (unless assistance to the family will be terminated).
- The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner).

B. RESTRICTIONS ON MOVES

Families will not be permitted to move within the HA's jurisdiction during the initial year of assisted occupancy except by mutual agreement between the owner and the family.

Families will not be permitted to move outside the HA's jurisdiction under portability procedures during the initial year of assisted occupancy.

Families will not be permitted to move more than once in a 12-month period.

The HA will deny permission to move if there is insufficient funding for continued assistance. The PHA may deny permission to move if:

- The family has violated a Family Obligation.
- The family owes any HA money.
- The family has moved or been issued a Certificate or Housing Choice Voucher within the last twelve months.

The Section 8 Director may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.

C. PROCEDURE FOR MOVES

Issuance of Housing Choice Voucher

If the family has not been recertified within the last 120 days, the HA will issue the certificate or Housing Choice Voucher to move after conducting the recertification, as soon as the family requests the move.

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

The annual recertification date will be changed to coincide with the new lease-up date.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the HA proper written notice of any intent to move.

The family must give the owner the required number of days written notice of intent to vacate specified in the lease and must give a copy to the HA simultaneously.

Time of Contract Change

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move except that there will be no overlapping assistance.

In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease mid-month. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

D. <u>PORTABILITY</u>

Portability applies to families moving out of or into the HA's jurisdiction within the United States and its territories. Under portability, families are eligible to receive assistance to lease a unit outside of the initial HA's jurisdiction.

E. OUTGOING PORTABILITY

When a family requests to move to outside of the HA's jurisdiction, the request must specify the area to which the family wants to move.

The family may move only to a HA jurisdiction that administers tenant based assistance.

HA may not permit portability if the family has moved out of an assisted unit in violation of their lease.

If there is more than one HA in the area in which the family has selected a unit, the HA will choose the receiving HA.

Restrictions on Portability

- Families will not be permitted to exercise portability during the initial 12 month period after admission to the program, if neither the head or spouse had a domicile (legal residence) in the HA's jurisdiction at the date of their initial application for assistance unless the receiving and initial HA agree to allow the move.
- If the family is in violation of a family obligation.
- If the family owes money to any HA.

Outgoing Portability Procedures

The HA will provide pre-portability counseling for those families who express an interest in portability. If the family is utilizing portability for their initial lease-up, the HA will determine if the family is within the very low income limit of the receiving HA. If the receiving HA will absorb and the family will be changing its form of assistance, the HA will determine if the family is within the low income limit of the receiving HA, and advise the family accordingly.

The HA will notify the Receiving HA that the family wishes to relocate into its jurisdiction.

The HA will advise the family how to contact and request assistance from the receiving HA.

The HA will notify the receiving HA that the family will be moving into its jurisdiction.

The HA will provide the following documents and information to the Receiving HA:

- A copy of the family's Housing Choice Voucher, with issue and expiration dates, formally acknowledging the family's ability to move under portability.
- The most recent HUD 50058 form and verifications.
- Declarations and verifications of U.S. citizenship/eligible immigrant status.
- Current information related to eligibility and rent payments.
- Persons designated for inquiries on eligibility and billing.
- The Administrative Fee Schedule for billing purposes.
- A copy of the portability policies and procedures from this Administrative Plan.

The Receiving HA must notify the HA within 10 days of the following:

The Receiving HA decides to absorb the family into their own program.

The family leases up or fails to submit an Approval of Assisted Tenancy (AOT) by the required date.

Assistance to a portable family is terminated by the Receiving HA.

The family requests to move to an area outside the Receiving HA's jurisdiction.

Payment to the Receiving HA

The HA will requisition funds from HUD based on the anticipated lease-ups of portable Housing Choice Vouchers or Housing Choice Vouchers in other HA's jurisdictions. Payments for families in other jurisdictions will be made to other HAs when billed or in accordance with other HUD approved procedures for payment.

When billed, the HA will reimburse the Receiving HA for 100% of the Housing Assistance Payment, 100% of the Special Claims paid on HAP contract effective prior to 10/2/95, and 80% of the Administrative Fee (at the initial HA's rate), and any other HUD-approved fees.

Claims

The HA will be responsible for collecting amounts owed by the family for claims paid and for monitoring the repayment. The HA will notify the Receiving HA if the family is in arrears or if the family has refused to sign a Repayment Agreement, and the Receiving HA will be asked to terminate assistance to the family as allowed by this Administrative Plan.

Receiving HA's will be required to submit hearing determinations to the HA within 15 days.

G. INCOMING PORTABILITY

Absorption or Administration

The HA will accept a family with a valid Housing Choice Voucher from another jurisdiction and administer or absorb the Housing Choice Voucher. If administering, the family will be issued a "Portability" Housing Choice Voucher by the HA with the same start date. The HA may grant extensions in accordance with this Administrative Plan.

Incoming portable families who have not yet been absorbed will not be absorbed before the HA selects new applicants from the Waiting List.

When the receiving HA does not absorb the incoming Housing Choice Voucher or Housing Choice Voucher, it will administer the Initial HA's Housing Choice Voucher and the receiving HA's policies will prevail.

For initial lease-up, the family must be within the HA's Very-Low Income limits. For participants, the HA may issue either a Housing Choice Voucher or Housing Choice Voucher, but if the form of assistance changes, the family must be within the HA's Low-Income limits. If the family is ineligible under the receiving HA's low income limit because the form of assistance offered causes the family to change programs, the receiving HA must absorb the family without a change in the form of assistance, or administer the family's current form of assistance.

The HA will issue a "Portability Housing Choice Voucher" according to its own Subsidy Standards. If the family has a change in family composition which would change the Housing Choice Voucher size, the HA will change to the proper size based on its own Subsidy Standards.

The HA will decide whether to extend the "Portability Housing Choice Voucher" and for what period of time. The HA's policy on suspensions will apply. However, if the family decides not to lease-up in the HA's jurisdiction, the Family must request an extension from the initial HA.

For Old Rule contracts (prior to 10-2-95), the HA's unpaid rent, damage and vacancy loss claim policies prevail.

Income and TTP of Incoming Portables

As Receiving HA, the HA will conduct a recertification interview but only verify the information provided if the documents are missing or are over 120 days old, whichever is applicable, or there has been a change in the family's circumstances.

If the family's income exceeds the income limit of the Receiving HA, the family will not be denied assistance unless the family is an applicant (and over the Very-Low Income Limit).

If the family's income is such that a \$0 subsidy amount is determined prior to lease-up in the HA's jurisdiction, the HA will refuse to enter into a contract on behalf of the family at \$0 assistance.

Requests for Approval of Assisted Tenancy

When the Family submits an Approval of Assisted Tenancy (AOT), it will be processed using the HA's policies. If the Family does not submit an Approval of Assisted Tenancy (AOT) or does not execute a lease, the Initial HA will be notified within 10 days by the Receiving HA.

If the Family leases up successfully, the HA will notify the Initial HA within 10 days, and the billing process will commence.

If the HA denies assistance to the family, the HA will notify the Initial HA within 10 days and the family will be offered a review or hearing.

The HA will notify the Family of its responsibility to contact the Initial HA if the Family wishes to move outside the HA's jurisdiction under continued portability.

Terminations

The HA will notify the Initial HA in writing of any termination of assistance within 10 days of the termination. If an Informal Hearing is required and requested by the Family, the hearing will be conducted by the HA, using the regular hearing procedures included in this Plan. A copy of the hearing decision will be furnished to the Initial HA.

The Initial HA will be responsible for collecting amounts owed by the Family for claims paid and for monitoring repayment. If the Initial HA notifies the HA that the Family is in arrears or the Family has refused to sign a Repayment Agreement, the HA will terminate assistance to the family.

Required Documents

As Receiving HA, the HA will require the following documents from the Initial HA:

- A copy of the family's Housing Choice Voucher, with issue and expiration dates, formally acknowledging the family's ability to move under portability.
- The most recent HUD 50058 form and verifications.
- Declarations and verifications of U.S. citizenship/eligible immigrant status.
- A copy of the portability policies and procedures from their Administrative Plan.
- Current information related to eligibility and rent payments.
- Persons designated for inquiries on eligibility and billing.
- The Administrative Fee Schedule for billing purposes.

Billing Procedures

As Receiving HA, the HA will bill the Initial HA monthly for Housing Assistance Payments. The billing cycle for other amounts, including Administrative Fees and Special Claims will be monthly unless requested otherwise by the Initial HA.

The HA will bill 100% of the Housing Assistance Payment, 100% of Special Claims and 80% of the Administrative Fee (at the Initial HA's rate) and any other HUD-approved fees, for each "Portability" Housing Choice Voucher leased as of the first day of the month.

The HA will notify the Initial HA of changes in subsidy amounts and will expect the Initial HA to notify the HA of changes in the Administrative Fee amount to be billed.

CONTRACT TERMINATIONS

INTRODUCTION

The Housing Assistance Payments (HAP) Contract is the contract between the owner and the HA which defines the responsibilities of both parties. This Chapter describes the circumstances under which the contract can be terminated by the HA and the owner, and the policies and procedures for such terminations.

A. CONTRACT TERMINATION

The term of the HAP Contract is the same as the term of the lease. The Contract between the owner and the HA may be terminated by the HA, or by the owner or tenant terminating the lease.

No future subsidy payments on behalf of the family will be made by the HA to the owner after the month in which the Contract is terminated. The owner must reimburse the HA for any subsidies paid by the HA for any period after the contract termination date.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner. The owner will have no right to claim compensation from the HA for vacancy loss under the provisions of Certificate contracts effective on or after October 2, 1995.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. The contract for the new unit may begin during the month in which the family moved from the old unit.

B. <u>TERMINATION BY THE FAMILY: MOVES</u>

The lease stipulates that the family cannot move from the unit until after the first year of the lease. The notice period to the landlord is determined by the lease, but may not exceed 60 days.

C. TERMINATION BY THE OWNER: EVICTIONS

If the owner wishes to terminate the lease, the owner is required to evict, using the notice procedures in the HUD regulations and State/local law. The owner must provide the HA with a copy of the eviction notice.

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

The contract and lease require that the owner may only evict for the following reasons:

1. Serious or repeated violation of the terms and conditions of the lease,

- 2. Violation of Federal, State or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises,
- 3. Other good cause, including:
 - a. Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises.
 - b. Any drug-related criminal activity on or off the premises,
 - c. Abuse of alcohol in a manner that will interfere with the health, safety, or right to peaceful enjoyment of premises by other residents.
 - d. Tenant history of disturbance of neighbors, destruction of property, or behavior resulting in damage to the premises.
- 4. Other good cause, after the first year of the lease, includes:
 - a. Business or economic reason for regaining possession of the unit;
 - b. Owner's desire to repossess the unit for personal use:
 - c. Tenant's refusal to accept offer of a new lease.

The eviction notice must specify the cause for the eviction.

The HA requires that the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for the HA termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, the HA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

The HA will continue housing assistance payments until the family moves or is evicted from the unit provided that the unit continues to meet HQS guidelines.

If the action is finalized in court, the owner must provide the HA with the documentation, including notice of the lockout date.

If the owner opts out for business or economic reasons, the tenant must be given 90 days notice, with a copy to the HA and the local HUD office. Such reasons include desire to sell the property, renovation of the unit, or desire to obtain a higher rent than the HA will approve.

The HA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By endorsing the monthly check from the HA, the owner certifies that the tenant is still in the unit and s/he is in compliance with the contract.

If the eviction is not due to a serious or repeated violation of the lease, and if the HA has no other grounds for termination of assistance, the HA will issue a new Housing Choice Voucher so that the family can move with continued assistance.

D. TERMINATION OF THE CONTRACT BY HA

The term of the HAP contract terminates when the lease terminates, when the HA terminates program assistance for the family, and when the owner has breached the HAP contract.

Any of the following actions will be considered a breach of contract by the owner: The owner has violated any obligation under the HAP contract for the dwelling unit, including the owner's obligation to maintain the unit HQS standards, including any standards the HA has adopted in this policy.

- The owner has violated any obligation under any other housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).
- The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.
- The owner has engaged in drug related or violent criminal activity.
- The owner has a history of not terminating tenancy for drug related or violent criminal activity or other threatening activity.

The HA may also terminate the contract if:

The HA terminates assistance to the family.

The family is required to move from a unit that is under-occupied (Housing Choice Voucher Program) or overcrowded (Housing Choice Voucher Program).

Funding is no longer available under the ACC.

The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Notice of Termination

The HA will provide the owner and family with at least thirty days written notice of termination of the contract.

E. TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS

For families who were participants on June 19, 1995, terminations due to the ineligible immigration status of all members of the family, or because a "mixed" family chooses not to accept proration of assistance, may be temporarily deferred for intervals not to exceed six months (up to a maximum of three years) if necessary to permit the family additional time for transition to the affordable housing.

The family will be notified in writing at least 60 days in advance of the expiration of the deferral period that termination of assistance will not be deferred because:

 granting another deferral will result in an aggregate deferral of longer than three years, OR

A determination has been made that other affordable housing is available. **TERMINATION DUE TO OWNER DISAPPROVAL** If the HA terminates the contract due to owner disapproval (See Chapter 9, "Request for Lease Approval and Contract Execution"), the HA will provide the owner and family with at least thirty days written notice of termination of the contract.

DENIAL OR TERMINATION OF ASSISTANCE

INTRODUCTION

The HA may deny or terminate assistance for a family because of the family's action or failure to act. The HA will provide families with a written description of the Family Obligations under the program, the grounds under which the HA can deny or terminate assistance, and the HA's informal hearing procedures. This Chapter describes when the HA is required to deny or terminate assistance, and the HA's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. GROUNDS FOR DENIAL/TERMINATION

If denial or termination is based upon behavior resulting from a disability, the HA will delay the denial or termination in order to determine if there is an accommodation which would meet or negate the behavior resulting from the disability.

Form of Denial/Termination

Denial of assistance for an applicant may include any or all of the following:

- Denial for placement on the HA waiting list
- Denying or withdrawing a Housing Choice Voucher
- Refusing to enter into a HAP contract or approve a lease
- Refusing to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Mandatory Denial and Termination

The HA must deny assistance to applicants, and terminate assistance for participants:

- If any member of the family fails to sign and submit HUD or HA required consent forms for obtaining information.
- If no member of the family is an U.S. citizen or eligible immigrant.
- If the family is under contract and 180 days have elapsed since the HA's last housing assistance payment was made.

Grounds for Denial or Termination of Assistance

The HA may at any time deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

• The family violates any family obligation under the program.

- Any member of the family has ever been evicted from public housing.
- The family currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any HA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.
- The family breaches an agreement with a HA to pay amounts owed to a HA, or amounts paid to an owner by a HA.
- Any family member that the PHA has determined
- Any family member that the HA has determined to be abusing alcohol in a manner which will interfere with the health, safety, or rights to peaceful enjoyment of the premises by other residents.
- The family has engaged in or threatened abusive or violent behavior toward HA personnel.
 - Abusive or violent behavior towards HA personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.
- Persons convicted of manufacturing or producing methamphetamine on premises of assisted housing premises is building or complex in which dwelling unit is located, including common areas and grounds.
 - "Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence. Actual physical abuse or violence will always be cause for termination.

Family Self Sufficiency (FSS)

Failure to fulfill the obligations and conditions of the FSS contract is grounds for termination of assistance. The HA will not terminate the assistance for FSS families who fail to comply with the FSS Contract of Participation without good cause.

B. FAMILY OBLIGATIONS

- 1. The family must supply any information that the HA or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status. "Information" includes any requested certification, release or other documentation.
- 2. The family must supply any information requested by the HA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.
- 3. The family must disclose and verify Social Security Numbers and must sign and submit consent forms for obtaining information in accordance with Federal regulations.
- 4. All information supplied by the family must be true and complete.
- 5. The family is responsible for an HQS breach caused by the family.

- 6. The family must allow the HA to inspect the unit at reasonable times and after reasonable notice.
- 7. The family may not commit any serious or repeated violation of the lease.
- 8. The family must notify the owner and, at the same time, notify the HA before the family moves out of the unit or terminates the lease on notice to the owner.
- 9. The family must promptly give the HA a copy of any owner eviction notice.
- 10. The family must use the assisted unit for residence by the family. The unit must be the family's only residence.
- 11. The composition of the assisted family residing in the unit must be approved by the HA. The family must promptly inform the HA of the birth, adoption or court-awarded custody of a child. The family must request HA approval to add any other family member as an occupant of the unit.
- 12. The family must promptly notify the HA if any family member no longer resides in the unit.
- 13. If the HA has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or HA approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.
- 14. Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.
- 15. The family must not sublease or let the unit.
- 16. The family must not assign the lease or transfer the unit.
- 17. The family must supply any information or certification requested by the HA to verify that the family is living in the unit, or relating to family absence from the unit, including any HA-requested information or certification on the purposes of family absences. The family must cooperate with the HA for this purpose. The family must promptly notify the HA of absence from the unit.
- 18. The family must not own or have any interest in the unit.
- 19. The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.
- 20. The members of the family may not engage in drug-related criminal activity or violent criminal activity.
- 21. An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) federal, State or local housing assistance program.

Housing Authority Discretion

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the HA has discretion to consider all of the circumstances in each case, including the seriousness of the case, the extent of participation or culpability of individual family members, the length of time since the violation occurred and more recent record of compliance, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure to act.

The HA may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The

HA may permit the other members of a family to continue in the program.

Enforcing Family Obligations

Explanations and Terms

The term "Promptly" when used with the Family Obligations always means "within 10 days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

<u>HQS Breach</u>: The inspector will determine if an HQS breach is the responsibility of the family. Families may be given extensions to cure HQS breaches by HA staff.

<u>Lease Violations</u>: The following criteria will be used to decide if a serious or repeated violation of the lease will cause a termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease.

If the owner notifies the family of termination of assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the HA determines that the cause is a serious or repeated violation of the lease based on available evidence.

If the owner notifies the family of termination of assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and

If there are police reports, neighborhood complaints or other third party information, and the HA has verified the information.

<u>Notification of Eviction</u>: If the family requests assistance to move and they did not notify the HA of an eviction, the move will be denied.

Proposed additions to the family may be denied to:

Persons who have been evicted from public housing.

Persons who have previously violated a family obligation listed in HUD regulations.

Persons who commit drug-related criminal activity or violent criminal activity.

Persons who do not meet the HA's definition of family.

Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

Persons who currently owe rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance.

Persons who have engaged in or threatened abusive or violent behavior toward HA personnel.

<u>Family Member moves out</u>: Families are required to notify the HA if any family member leaves the assisted household. When the family notifies the HA, they must furnish the following information:

The date the family member moved out.

The new address, if known, of the family member.

A statement as to whether the family member is temporarily or permanently absent.

Limitation on Profit-making Activity in Unit:

If the business activity area results in the inability of the family to use any of the critical living areas, such as a bedroom utilized for a business which is not available for sleeping, it will be considered a violation.

If the HA determines that the use of the unit as a business is not incidental to its use as a dwelling unit.

<u>Interest in Unit</u>: The owner may not reside in the assisted unit regardless of whether (s)he is a member of the assisted family, unless the family owns the mobile home and rents the pad under the Certificate Program.

<u>Fraud</u>: In each case, the HA will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

In the event of false citizenship claims, the HA will give the family member the opportunity to elect not to contend their status in lieu of termination of the entire family.

Drug-related or Violent Criminal Activity:

Drug-related criminal activity is the manufacture, sale, distribution, use or possession with intent to manufacture, sell or distribute, of a controlled substance.

- Drug-related criminal activity means on or off the premises, not just on or near the premises.
- **Violent criminal activity** includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and
- The activity is being engaged in by any Family member.
- Ineligibility if Evicted for Drug-Related Activity
- Persons evicted from public housing, Indian housing, Section 23, or any Section 8 Program because
 of drug-related criminal activity are ineligible for admission to Public Housing for a three-year period
 beginning on the date of such eviction.

The HA may waive this requirement if:

- The person demonstrates successful completion of a rehabilitation program approved by the HA, OR
 - The circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person is incarcerated.
- Applicants will be denied assistance if they have been:
 Convicted/evicted from a unit due to drug-related or violent criminal activity within the last 3 years prior to the date of the certification/recertification interview.
- Participants may be terminated who have been:
 Arrested/convicted/evicted from a unit due to violent criminal activity within the last 3 years prior to the date of notice to terminate assistance, and whose activities have created a disturbance in the building or neighborhood.

If the family violates the lease for drug-related or violent criminal activity, the HA will terminate assistance.

In appropriate cases, the HA may permit the family to continue receiving assistance provided that family members determined to have engaged in the proscribed activities will not reside in the unit. If the violating member is a minor, the HA may consider individual circumstances with the advice of Juvenile Court

officials.

Screening Out Illegal Drug Users and Alcohol Abusers

The HA will prohibit admitting any person to housing where the HA determines that there is a reasonable cause to believe that the person is illegally using a controlled substance, or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. This includes cases where the HA determines that there is a **pattern** of illegal use of a controlled substance, or **pattern** of alcohol abuse.

The HA will consider the use of a controlled substance or alcohol to be a **pattern** if there is more than one incident during the previous **three (3)** months.

The HA may waive this policy if the person demonstrates to the HA's satisfaction that the person is no longer engaging in the illegal use of a controlled substance or abuse of alcohol, and:

- Has successfully completed a supervised drug or alcohol rehabilitation program,
- Has otherwise been rehabilitated successfully; or
- Is participating in a supervised drug or alcohol rehabilitation program.

Confidentiality of Criminal Records

The HA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

Disclosure of Criminal Records to Family

Before the HA takes any adverse action based on a criminal conviction record, the applicant or tenant will be provided with a copy of the criminal record and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal hearing. Tenants may contest such records at the court hearing in the case of evictions.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it, that is, evidence which as a whole shows that the fact sought to be proved is more provable than not. The intent is not to approve criminal liability, but to establish that the act(s) occurred.

Preponderance of evidence may not be determined by the number of witnesses, but by the weight of all evidence.

Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants. If the family violates the lease for drug-related or violent criminal activity, the HA will terminate assistance.

The HA will pursue fact-finding efforts as needed to obtain credible evidence.

Notice of Termination of Assistance

In any case where the HA decides to terminate the family, the HA must give the family written notice which states:

• The reason(s) for the proposed termination,

- The effective date of the proposed termination.
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- The date by which a request for an informal hearing must be received by the HA.

The HA will simultaneously provide written notice of the contract termination to the owner so that it will coincide with the Termination of Assistance. The Notice to the owner will not include any details regarding the reason for termination of assistance.

C. ONE STRIKE POLICY FOR SECTION 8 HOUSING CHOICE VOUCHERS

<u>Purpose</u>

All federally assisted housing is intended to provide safe and decent place for eligible families to live, free of violent criminal activity and the illegal sale and use of drugs, alcohol and related activity. It is the intention of the HA to fully endorse and implement a policy that is designed to:

- Keep our program participants free from threats to their personal and family safe.
- Help maintain a safe and drug free community environment where families can live safely, free for the dangers associated with illegal activity.

Administation of the Policy

- All screening and eviction [procedures shall be administered fairly and in such a way so as not to discriminate on the basis of race, color, nationality, religion, sex, familial status, disability or other legally protected groups, and not to violate one's right to privacy.
- To the maximum extent possible, and permissible by law, the HA will involve other community and governmental entities, as well as resident organizations, in the promotion and enforcement of this policy.
- This policy is incorporated as a part of the Administration Plan and is posted on the HA's bulletin board, with copies made readily available to residents and/or applicants at each annual recertification and/or eligibility determination meeting.

Screening of Applicants

- In an effort to deter illegal drug-related and other criminal activity, as well as other patterns of behavior that pose a threat to health, safety or the right to peaceful enjoyment of the premises by other residents, the HA will endeavor to screen applicants as thoroughly and fairly as possible in accordance with HUD prescribed regulations and guidance, and local laws governing the jurisdiction of the HA.
- 2. Such screening will apply to all members of the household who are of adult (16 years of age or older) and will include, but not limited to, obtaining criminal records.
- 3. Reasonable cause of drug related criminal activity that may pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents may be grounds for denial of assistance. Drug related criminal activity is defined as the illegal manufacture, sale, distribution, use of possession

with intent to manufacture, sell, distribute, or use a controlled substance.

- 4. Reasonable cause to believe that a person's pattern of alcohol abuse may pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents may be grounds for denial of assistance.
- 5. In both 3 and 4 above, the HA may waive its policy of denying assistance if the person demonstrates to the HA's satisfaction that he/she is not longer engaging in illegal use of a controlled substance or abuse of alcohol and:
 - a. Has successfully completed a supervised drug or alcohol rehabilitation program;
 - b. Has otherwise been rehabilitated successfully;
 - c. Is participating in a supervised drug or alcohol rehabilitation program.
- 6. Persons evicted from Public Housing, Indian Housing, Section 23 or Section 8 program because of drug related criminal activity are ineligible for admission to the Section 8 program for a three (3) year period beginning on the date of such eviction. The HA may waive this requirement if:
 - a. The person demonstrates successful completion of a rehabilitation program approved by the HA; or
 - b. The circumstances leading to the eviction no longer exist (e.g., the individual involved in drugs is no longer in the household because the person is incarcerated.)

Enforcement Through Termination Of Housing Assistance

The HA shall enforce this "one-strike" policy with respect to drug related criminal or other prohibited activity which may pose a threat to the health, safety or right to peaceful enjoyment of the premises by other residents. Evidence of such activity may be grounds for termination from Section 8 assistance.

D. PROCEDURES FOR NON-CITIZENS

<u>Termination due to Ineligible Immigrant Status</u>

Participant families in which all members are neither U.S. citizens nor eligible immigrants are not eligible for assistance and must have their assistance terminated. The HA must offer the family an opportunity for a hearing. (See Chapter 2, Section D.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

Participant families in which all members are neither U.S. citizens nor eligible immigrants must have their assistance terminated. They must be given an opportunity for a hearing.

Temporary Deferral of Termination of Assistance

Ineligible families, who were participants as of June 19, 1995, may request a temporary deferral of termination of assistance in order to allow time to locate affordable housing and thereby preserve the family.

Temporary deferral of termination of assistance is also available to mixed families who were participants

on June 19, 1995, who elect not to accept prorated assistance, and are not eligible for Continued Assistance. (See Chapter 14, "Contract Terminations.") The HA must allow the mixed family time to find housing for ineligible members or for the entire family by deferring the termination.

Mixed families who choose temporary deferral of termination of assistance may change to prorated assistance at the end of any deferral period, if they have made a good-faith effort to locate housing.

Criteria for Approving Temporary Deferral of Termination of Assistance

The HA will grant temporary deferral so long as the family makes reasonable efforts to find affordable housing (and the Consolidated Plan indicates that the market lacks sufficient affordable housing).

Affordable housing is defined as housing that is standard based on HQS, of appropriate size based on HQS, and for which the rent plus utilities is no more than 25% greater than the HA calculated Total Tenant Payment.

To determine whether a family is eligible for temporary deferral of termination of assistance, or for a renewal of temporary deferral of termination of assistance, the HA will follow HUD regulations.

Length of Deferral

The initial temporary deferral is granted for an interval not to exceed six months. Additional deferrals can be made up to a maximum of three years, if the initial deferral was granted prior to 11/29/96. For Deferrals granted after 11/29/96, additional deferrals may be made up to an aggregate total of 18 months. A notice is sent to the family at the beginning of each deferral period reminding them of their ineligibility for full assistance and their responsibility to seek other housing.

The family will be notified in writing sixty days before the end of the three year maximum deferral period that there cannot be another deferral, and will be offered the option of prorated assistance if they are a mixed family and have made a good-faith effort to locate affordable housing.

False or Incomplete Information

When the HA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual given an opportunity to present relevant information.

If the individual is unable to verify their citizenship, the HA may give him/her an opportunity to provide a new declaration as an eligible immigrant or to elect not to contend their status. The HA will then verify eligible status, deny, terminate, or prorate as applicable.

The HA will deny or terminate assistance based on the submission of false information or misrepresentations.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the HA either after the INS appeal or in lieu of the INS appeal.

After the HA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable) or, for participants who qualify, for Temporary Deferral of Termination of Assistance.

E. \$0 ASSISTANCE TENANTS

Old Contracts

For contracts which were effective prior to 10/2/95, the HA is liable for unpaid rent and damages if the family vacates during the allowable 12 months after the last HAP payment. The HA must perform all of the functions normally required, such as reexaminations and inspections. The participant will be notified of the right to remain on the program at \$0 assistance for 12 months. If the family is still in the unit after 12 months, the assistance will be terminated.

New Contracts

For contracts effective after 10/2/95, the HA has no liability for unpaid rent or damages, and the family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If within the 180 day time frame an owner rent increase or a decrease in the Total Tenant Payment causes the family to be eligible for a housing assistance payment, the HA will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

F. OPTION NOT TO TERMINATE FOR MISREPRESENTATION

If the family has misrepresented any facts that caused the HA to overpay assistance, the HA may choose not to terminate and may offer to continue assistance provided that the family executes a Repayment Agreement and makes payments in accordance with the agreement. or reimburses the HA in full.

G. MISREPRESENTATION IN COLLUSION WITH OWNER

If the family willingly and knowingly commits fraud or is involved in any other illegal scheme with the owner, the HA will deny or terminate assistance.

In making this determination, the HA will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

H. MISSED APPOINTMENTS AND DEADLINES

It is a Family Obligation to supply information, documentation, and certification as needed for the HA to fulfill its responsibilities. The HA schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow the HA to inspect the unit and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline without notifying the HA may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the HA to inspect the unit.

The family will be given information about the requirement to keep appointments and the number of times appointments will be rescheduled as specified in this Plan.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Housing Choice Voucher Issuance and Briefings

- Housing Quality Standards and Inspections
- Recertifications
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

Medical emergency Incarceration Family emergency

Procedure when Appointments are Missed or Information not Provided

For most purposes in this Plan, the family will be given **2** opportunities before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing:

- The termination will be rescinded after the family cures the breach.
- The notice will be rescinded if the family offers to cure and the family does not have a history of non-compliance.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

INTRODUCTION

It is the policy of the HA to recruit owners to participate in the program, and to provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the HA. The regulations define when the HA must disallow an owner participation in the program, and they provide the HA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party.

The HA will disapprove the owner for the following reasons:

HUD (or other agency directly related] has informed the HA that the owner has been disbarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

HUD has informed the HA that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

HUD has informed the HA that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.

The owner has engaged in drug related or other violent criminal activity, or owner has a history of not terminating tenancy for drug related or violent criminal activity, or other threatening activity.

The Owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.

B. OWNER RESTRICTIONS AND PENALTIES

If an owner commits fraud or abuse or is guilty of frequent or serious contract violations, the HA will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The HA may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the HA will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

Disapproval Of Owners/Participation Restrictions

The HA will terminate contracts with owners for the following reasons:

- HUD notifications of owner debarment/suspension
- HUD notification of violation of fair housing/federal equal opportunity
- Violation of contract obligations

- Owner fraud, bribery or other corrupt act in federal housing
- Owner engaged in drug related or other violent criminal activity, or has a history of not terminating tenancy for drug related or violent criminal related activity or other threatening activity.

C. OTHER REMEDIES FOR OWNER VIOLATIONS

Overpayments

If the landlord has been overpaid as a result of fraud, misrepresentation or violation of the Contract, the HA may terminate the Contract and arrange for restitution to the HA and/or family as appropriate.

The HA will make every effort to recover any overpayments made as a result of landlord fraud or abuse. Payments otherwise due to the owner may be debited in order to repay the HA or the tenant, as applicable.

Chapter 17

CLAIMS, MOVE-OUT AND CLOSE-OUT INSPECTIONS (For Contracts Effective Before October 2, 1995

INTRODUCTION

This Chapter describes the HA's policies, procedures and standards for servicing Contracts which were effective before October 2, 1995. Certificate and Housing Choice Voucher contracts in this category have provisions for the HA's liability to owners when families move out. Housing Choice Vouchers and Certificates have a provision for damages, and Certificates, in addition, have a provision for vacancy loss.

A. OWNER CLAIMS

Under HAP Contracts effective prior to October 2, 1995, owners may make a special claim for damages, unpaid rent, and vacancy loss (vacancy loss cannot be claimed in the Housing Choice Voucher Program) after the tenant has vacated the unit.

Owner claims for payment for unpaid rent, damages, or vacancy loss will be reviewed for accuracy and completeness and compared with records in the file. The HA establishes standards by which to evaluate claims, but the burden of proof rests with the owner.

If vacancy loss is claimed, the HA will ascertain whether or not the family gave proper notice of its intent to move. The file will also be reviewed to verify owner compliance at the time the contract was terminated.

The HA will pay properly filed claims to the owner as a function of the contract, but the tenant is ultimately responsible to reimburse the HA for claims paid to the owner.

B. UNPAID RENT

Unpaid rent only applies to the tenant's portion of rent while the tenant is in residence under the assisted lease. It does not include the tenant's obligation for rent beyond the termination date of the HAP Contract.

Separate agreements are not considered a tenant obligation under the lease and the HA will not reimburse the owner for any claims under these agreements.

C. VACANCY LOSS IN THE CERTIFICATE PROGRAM

Vacancy Loss is applicable to the Certificate Program <u>only</u>. Vacancy loss is paid if the move was in violation of the notice requirements in the lease, or the result of an eviction.

In order to claim vacancy loss, the unit must be available for lease and the landlord must:

- Notify the HA within 24 hours upon learning of the vacancy, or prospective vacancy, AND
- Pursue all possible activities to fill the vacancy, including, but not limited to:
 - 1. Contacting applicants on the owner's waiting list, if any
 - 2. Seeking eligible applicants by listing the unit with the HA
 - 3. Advertising the availability of the unit, and

4. Not rejecting potentially eligible applicants except for good cause

In the event that a unit becomes vacant because of death, the HA will permit the owner to keep the HAP for the month in which the tenant died.

The HA will not assess the family for any monies paid to the owner for vacancy loss if the HA was responsible for the late move-out.

To ensure valid claim processing, the HA will conduct a thorough move-in inspection noting Aconditions@ as well as HQS deficiencies, and send a report of all items to the owner and tenant.

Only damages claimed by the owner are reimbursable.

All claims for damages must be supported by the actual bills for materials and labor. Estimates are not acceptable.

Reimbursement for replacement of items such as carpets, drapes, or appliances, are based on depreciation schedules in general use.

The HA may require verification of purchase date, quality, and price of replaced items in order to calculate depreciation.

Damages which were caused during tenancy, were repaired and billed, but remain unpaid at move-out, can be considered Aother items due under the lease@ and included in the claim only if the owner notified the HA in writing (by copy of the repair bill) in the month in which repair costs were issued to the family.

Eligible items to be included on the damage claim must have been a tenant responsibility under the lease or State law.

Claims for unpaid utility bills cannot be approved as part of a claim.

Claims for normal wear and tear, previously existing conditions, routine turnover preparation, cleaning and cyclical interior painting are not paid.

D. MOVE-OUT AND CLOSE-OUT INSPECTIONS

Move-out inspections are performed after the tenant has vacated the unit. These inspections are performed to assess the condition of the unit, not to evaluate the HQS. Vacate inspections will be conducted by Section 8 staff upon request by owner.

There will be no move-out inspections of units with contracts effective on or after October 2, 1995.

The owner and tenant will be notified of the date and time of the inspection.

A damage claim will not be approved *unless* the move-out inspection is requested and completed prior to any work being done.

D. PROCESSING CLAIMS

Any amount owed by the tenant to the owner for unpaid rent or damages will first be deducted from the maximum-security deposit which the owner could have collected under the program rules. If the maximum allowable security deposit is insufficient to reimburse the owner for the unpaid tenant rent or other amounts which the family owes under the lease, the owner may request reimbursement from the HA up to the limits for each program.

If the owner claims vacancy loss, the security deposit that he collected or could have collected will not be deducted from the vacancy loss claim.

The HA reviews claims for unpaid rent, damages, or vacancy loss and makes a preliminary determination of amount payable. The family is informed that a claim is pending (notice sent to last known address). The notification will state the preliminarily determined amount, the type of claim, and describe the procedure for contesting the claim.

The HA will offer the family 14 days to contest the claim. If the family disputes the claim, the HA will schedule an informal meeting with the owner and tenant in order to resolve the differences.

- If the owner fails to attend the meeting, the HA will consider this prima facie evidence of validity of the tenant's position.
- If the tenant fails to attend the meeting, the HA will proceed with its original determination.
- Meetings will not be rescheduled if neither party attends.
- Meetings will not be rescheduled if either party fails to attend.

After a determination has been made, the HA will notify the family in writing of the decision. If it has been determined that the family owes money, the HA will pursue collection to repay either in a lump sum or through a payment agreement. The notice will warn the family that their assistance may be terminated and they may be denied future participation in the program if they do not reimburse the HA as required.

Eligible items to be included on the damage claim must have been a tenant responsibility under the lease or State law.

Claims for unpaid utility bills cannot be approved as part of a claim.

Claims for normal wear and tear, previously existing conditions, routine turnover preparation, cleaning and cyclical interior painting are not paid.

Other Requirements for Claims Processing

All notices to tenants during the processing of a claim must include proof of mailing or of personal delivery.

Costs of filing eviction to remove the tenant or any other legal fees may not be reimbursed.

No vacancy loss claims will be paid for a unit that is vacant as the result of the landlord voluntarily moving a family to another unit owned by the same landlord.

All unpaid rent, damage, and vacancy loss claim forms must be fully complete when they are submitted, and they must be submitted within 60 days of the date the owner learned of the move-out.

Chapter 18

OWNER OR FAMILY DEBTS TO THE HA

INTRODUCTION

This Chapter describes the HA's policies for the recovery of monies which have been overpaid for families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the HA's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the HA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the HA, the HA will make every effort to collect it. The HA will use a variety of collection tools to recover debts including, but not limited to:

Requests for lump sum payments Civil suits Abatements Reductions Collection agencies Credit bureaus

A. DEBTS OWED FOR CLAIMS

If a family owes money to the HA for claims paid to an owner:

- The HA will require the family to repay the amount in full.
- The HA will not enter into a Repayment Agreement.

B. DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION

HUD's definition of program fraud and abuse is a single act or pattern of actions that:

Constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of Section 8 program funds in violation of Section 8 program requirements.

Family Error/Late Reporting

Families who owe money to the HA due to the family's failure to report income properly will be required to repay within 120 days. If the family pays the amount in full within this time period, the HA may continue assistance to the family. Failure to repay the total amount within the 120-day period will result in termination of assistance.

Program Fraud

Families who owe money due to program fraud will have their assistance terminated.

C. OWNER DEBTS TO THE HA

If the HA determines that the owner has retained Housing Assistance or Claim Payments the owner is not entitled to, the HA may reclaim the amounts from future Housing Assistance or Claim Payments owed the owner for any units under contract.

If future Housing Assistance or Claim Payments are insufficient to reclaim the amounts owed, the HA will:

- Require the owner to pay the amount in full within 30 days
- Pursue collections through the local court system
- Restrict the owner from future participation

Chapter 19

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the HA. This Chapter describes the policies, procedures and standards to be used when families disagree with and HA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the HA to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE HA

The HA will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HA may require that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone.

Categories of Complaints

- 1. Complaints from families:
 - If a family disagrees with an action or inaction of the HA or owner, complaints from families will be referred to the Section 8 Director.
- 2. Complaints from Owners:

If an owner disagrees with an action or inaction of the HA or a family, complaints from Owners will be referred to the Section 8 Director.

- Complaints from staff:
 - If a staff person reports an owner or family either violating or not complying with program rules, complaints from staff/families will be referred to Section 8 Director.
- 4. Complaints from the general public:
 - Complaints or referrals from persons in the community in regard to the HA, a family or an owner, complaints from general public will be referred to Section 8 Director.

B. PREFERENCE DENIALS

When the HA denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for a meeting with HA staff to discuss the reasons for the denial and to dispute the HA's decision.

The person who conducts the meeting must be any officer or employee of the HA including the person who made the decision.

C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is that when an applicant is denied assistance for citizen or eligible immigrant status, the applicant is entitled to an informal hearing.

When the HA determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain:

- The reason(s) they are ineligible,
- The procedure for requesting a review if the applicant does not agree with the decision,
- AND
- The time limit for requesting a review.

The HA must provide applicants with the opportunity for an Informal Review of decisions denying:

Qualification for preference Listing on the HA's waiting list Issuance of a Certificate or Housing Choice Voucher Participation in the program

Informal Reviews are not required for established policies and procedures and HA determinations such as:

- Discretionary administrative determinations by the HA
- General policy issues or class grievances
- A determination of the family unit size under the HA subsidy standards
- Refusal to extend or suspend a Certificate or Housing Choice Voucher
- Disapproval of lease
- Determination that unit is not in compliance with HQS
- Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received in writing by the close of the business day, no later than 10 days from the date of the HA's notification of denial of assistance. The informal review will be scheduled within 10 days from the date the request is received.

The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The Review may be conducted by a staff person who is at the Management level or above.

The applicant will be given the option of presenting oral or written objections to the decision. Both the HA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

A Notice of the Review findings will be provided in writing to the applicant within 10 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. INFORMAL HEARING PROCEDURES

The HA will provide a copy of the hearing procedures in the family briefing packet.

When the HA makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The HA will give the family prompt notice of such determinations which will include:

- The proposed action or decision of the HA;
- The date the proposed action or decision will take place;
- The family's right to an explanation of the basis for the HA's decision.
- The procedures for requesting a hearing if the family disputed the action or decision.
- The time limit for requesting the hearing.

The HA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following HA determinations:

- 1. Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- 2. Appropriate utility allowance used from schedule
- 3. Family unit-size determination under HA subsidy standards
- 4. Determination that Certificate program family is underoccupied in their current unit and a request for exception is denied
- 5. Determination to terminate assistance for any reason.
- 6. Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account.
- 7. Determination to pay an owner claim for damages, unpaid rent or vacancy loss.

The HA must always provide the opportunity for an informal hearing before termination of assistance. Informal Hearings are not required for established policies and procedures and HA determinations such as:

- Discretionary administrative determinations by the HA
- General policy issues or class grievances
- Establishment of the HA schedule of utility allowances for families in the program
- An HA determination not to approve an extension or suspension of a certificate or Housing Choice Voucher term
- An HA determination not to approve a unit or lease
- An HA determination that an assisted unit is not in compliance with HQS (HA must provide hearing for family breach of HQS because that is a family obligation determination)
- An HA determination that the unit is not in accordance with HQS because of the family size
- An HA determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification of Hearing

It is the HA's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HA will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HA receives a request for an informal hearing, a hearing shall be scheduled within 10 days. The notification of hearing will contain:

- The date and time of the hearing
- The location where the hearing will be held
- The family's right to bring evidence, witnesses, legal or other representation at the family's expense
- The right to view any documents or evidence in the possession of the HA upon which the HA based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing

The HA's Hearing Procedures

After a hearing date is agreed to, the family may request to reschedule only upon showing Agood cause" which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the HA within 24 hours, excluding weekends and holidays. The HA will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

- Present written or oral objections to the HA's determination,
- Examine the documents in the file which are the basis for the HA's action, and all documents submitted to the Hearing Officer;
- Copy any relevant documents at their expense;
- Present any information or witnesses pertinent to the issue of the hearing;
- Request that HA staff be available or present at the hearing to answer questions pertinent to the case; and
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

If the family requests copies of documents relevant to the hearing, the HA will make the copies for the family. In no case will the family be allowed to remove the file from the HA's office.

In addition to other rights contained in this Chapter, the HA has a right to:

- Present evidence and any information pertinent to the issue of the hearing;
- Be notified in advance if the family intends to be represented by legal counsel, advocate, or another party;
- Examine and copy any documents to be used by the family prior to the hearing;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present.

The Informal Hearing shall be conducted by the Hearing Officer appointed by the HA who is neither the person who made or approved the decision, nor a subordinate of that person. The HA appoints hearing officers who are HA management.

The hearing shall concern only the issues for which the family has received the opportunity for hearing. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. A document includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the Hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HA shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HA is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the Hearing Findings shall be provided in writing to the HA and the family within 10 days and shall include:

- A clear summary of the decision and reasons for the decision;
- If the decision involves money owed, the amount owed;
- AND
- The date the decision goes into effect.

The HA is not bound by hearing decisions:

Which concern matters in which the HA is not required to provide an opportunity for a hearing

- That conflict with or contradict to HUD regulations or requirements;
- That conflict with or contradict Federal, State or local laws; or
- Exceed the authority of the person conducting the hearing.

The HA shall send a letter to the participant if it determines the HA is not bound by the Hearing Officer's determination within 10 days. The letter shall include the HA's reasons for the decision.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

E. HEARING AND APPEAL PROVISIONS FOR ARESTRICTIONS ON ASSISTANCE TO NON-

CITIZENS

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

Assistance to a family may not be terminated or denied while the HA hearing is pending but assistance to an applicant may be delayed pending the HA hearing.

INS Determination of Ineligibility

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HA notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HA either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HA a copy of the appeal and proof of mailing or the HA may proceed to deny or terminate. The time period to request an appeal may be extended by the HA for good cause.

The request for an HA hearing must be made within fourteen days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within fourteen days of receipt of that notice. After receipt of a request for an informal hearing, the hearing is conducted as described in section D of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family members the HA will:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the HA will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigrations status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of Tenant Rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

F. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES

When applicants are denied placement on the waiting list, or the HA is terminating assistance, the family will be informed that presence of a disability may be considered as a mitigating circumstance during the informal review process.

Chapter 20

PROGRAM INTEGRITY ADDENDUM

INTRODUCTION

The U.S. Department of HUD conservatively estimates that 200 million dollars is paid annually to program participants who falsify or omit material facts in order to gain more rental assistance that they are entitled to under the law. HUD further estimates that 12% of all HUD-assisted families are either totally ineligible, or are receiving benefits which exceed their legal entitlement.

The HA is committed to assuring that the proper level of benefits is paid to all participating families, and that housing resources reach only income-eligible families so that program integrity can be maintained. The HA will take all steps necessary to prevent fraud, waste, and mismanagement so that program resources are utilized judiciously.

This chapter outlines the HA's policies for the prevention, detection, and investigation of program abuse and fraud.

A. CRITERIA FOR INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

Under no circumstances will the HA undertake an inquiry or an audit of a participating family arbitrarily. The HA's expectation is that participating families will comply with HUD requirements, provisions of the certificate or Housing Choice Voucher, and other program rules.

 The HA staff will make every effort (formally, and informally) to orient and educate all families in order to avoid unintentional violations. However, the HA has responsibility to HUD, the Community, and to eligible families in need of housing assistance, to monitor participants and owners for compliance and, when indicators of possible abuse come to the HA's attention, to investigate such claims.

The HA will initiate an investigation of a participating family only in the event of one or more of the following circumstances:

- Referrals, Complaints, or Tips. The HA will follow up on referrals from other agencies, companies
 or persons, which are received by mail, by telephone, or in person, which allege that a family is in
 non-compliance with, or otherwise violating the family obligations or any other program rules.
 Such follow-up will be made providing that the referral contains at least one item of information
 that is independently verifiable. A copy of the allegation will be retained in the family's file.
- 2. Internal File Review. A follow-up will be made if HA staff discovers (as a function of a certification and recertification, an interim redetermination, or a quality control review), that there is a discrepancy with statements made by the family.
- Verification of Documentation. A follow-up will be made if the HA receives independent verification or documentation which conflicts with representations in the family's file (such as public record information, credit bureau reports, or reports from other agencies).

B. STEPS THE HA WILL TAKE TO PREVENT PROGRAM ABUSE AND FRAUD

The HA management and staff will utilize various methods and practices (listed below) to prevent program abuse, non-compliance, and willful violations of program rules by applicants and participating families. This policy objective is to establish confidence and trust in the management by emphasizing education as the primary means to obtain compliance by families.

- 1. Things You Should Know. This program integrity bulletin (created by HUD's Inspector General) will be furnished and explained to all applicants to promote understanding of program rules, and to clarify the HA's expectation for cooperation and compliance.
- Program Orientation Session. Mandatory orientation sessions will be conducted by the HA staff
 for all prospective program participants, either prior to or upon issuance of a certificate or Housing
 Choice Voucher. At the conclusion of all Program Orientation Sessions, the family representative
 will be required to sign an "Orientation Session Certification", to confirm that all rules and pertinent
 regulations were explained to them.
- Resident Counseling. The HA will routinely provide participant counseling as part of every recertification interview, in order to clarify any confusion pertaining to program rules and requirements.
- 4. Review and Explanation of Forms. Staff will explain all required forms and review the contents of all (re)certification documents before signature.
- 5. Use of Instructive Signs and Warnings. Instructive signs will be conspicuously posted in common areas and interview areas to reinforce compliance with program rules, and to warn about penalties for fraud and abuse.
- All family representatives will be required to sign a Tenant Verification Data Sheet (re)certification.

C. STEPS THE HA WILL TAKE TO DETECT PROGRAM ABUSE AND FRAUD

The HA staff will maintain a high level of awareness to indications of possible abuse and fraud by assisted families.

- 1. Quality Control File Reviews. Prior to initial certification, and at the completion of all subsequent recertifications, a random review of files will be conducted. Such reviews shall include, but not be limited to:
 - Assurance that verification of all income and deductions is present.
 - Changes in reported Social Security Numbers or dates of birth.
 - Authenticity of file documents.
 - Review of signatures for consistency with previously provided documents.
- Observation. The HA Management and Occupancy Staff (to include inspection personnel)
 will maintain high awareness of circumstances which may indicate program abuse or fraud,
 such as unauthorized persons residing in the household and unreported income.
 Observations will be documented in the family's file.
- 3. Public Record Bulletins may be reviewed by Management and Staff.
- 4. State Wage Data Record Keepers. Inquiries to State Wage and Employment record keeping agencies as authorized under Public Law 100-628, the Stewart B. McKinley Homeless Assistance Amendments Act of 1988, may be made annually in order to detect unreported wages or employment compensation benefits.
- 5. Credit Bureau Inquiries. Credit Bureau inquiries may be made (with proper authorization by the participant) in the following circumstances:
 - When an allegation is received by the HA wherein unreported income sources are disclosed.

 When a participant's expenditures exceed his/her income, and no plausible explanation is given.

D. THE HA'S HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The HA staff will encourage all participating families to report suspected abuse to their Housing Specialist. All such referrals, as well as referrals from community members and other agencies, will be thoroughly documented and placed in the participant's file.

All allegations, complaints and tips will be carefully evaluated in order to determine if they warrant follow-up. The Housing Specialist will not follow-up on allegations which are vague or otherwise non-specific. They will only review allegations that contain one of more independently verifiable facts.

- 1. File Review. An internal file review will be conducted to determine:
 - If the subject of the allegation is a client of the HA and, if so, to determine whether or not the information reported has been previously disclosed by the family.
 - If the HA is the most appropriate authority to do a follow-up (more so than police or social services). Any file documentation of past behavior as well as corroboration of complaints will be evaluated.
- 2. Conclusion of Preliminary Review. If at the conclusion of the preliminary file review there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the Housing Specialist will initiate an investigation to determine if the allegation is true or false.

E. HOW THE HA WILL INVESTIGATE ALLEGATIONS OF ABUSE AND FRAUD

If the HA determines that an allegation or referral warrants follow-up, either the staff person who is responsible for the file, or a person designated by the Executive Director to monitor the program compliance, will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include, but are not limited to, the items listed below. In all cases, the HA will secure the written authorization from the program participant for the release of information.

- 1. Credit Bureau Inquiries. In cases involving previously unreported income sources, a CBI inquiry may be made to determine if there is financial activity that conflicts with the reported income of the family.
- 2. Verification of Credit. In cases where the financial activity conflicts with file data, a verification of credit form may be mailed to the creditor in order to determine the unreported income source.
- 3. Employers and Ex-Employers. Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.
- 4. Other Agencies. Investigators, caseworkers, or representatives of other benefit agencies may be contacted.
- 5. Interviews with Head of Household or Family Members. The HA will discuss the allegation (or details thereof) with the Head of Household or family member by scheduling an appointment at the appropriate HA office. A high standard of courtesy and professionalism will be maintained by the HA staff person who conducts such interviews. Under no circumstances will inflammatory language, accusation, or any unprofessional conduct or language be

tolerated by the management. If possible, an additional staff person will attend such interviews.

F. PLACEMENT OF DOCUMENTS, EVIDENCE AND STATEMENTS

Documents and other evidence obtained by the HA during the course of an investigation will be considered "work product," and will either be kept in the participant's file, or in a separate "work file." Such cases under review will not be discussed among HA staff unless they are involved in the process, or have information which may assist in the investigation.

G. CONCLUSION OF THE HA'S INVESTIGATIVE REVIEW

At the conclusion of the investigation review, the reviewer will report the findings to the Executive Director or designee. It will then be determined whether a violation has occurred, a violation has not occurred, or if the facts are inconclusive.

H. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the HA will review the facts to determine:

- The type of violation, (procedural, non-compliance, fraud).
- Whether the violation was intentional or unintentional.
- What amount of money, if any, is owed by the family.
- If the family is eligible for continued occupancy.

I. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED.

Once a program violation has been documented, the HA will propose the most appropriate remedy based upon the type and severity of the violation.

1. Procedural Non-Compliance. This category applies when the family "fails to" observe a procedure or requirement of the HA, but does not misrepresent a material fact, and there is no retroactive assistance payments owed by the family. An example of a Non-Compliance Violation is failure to appear at a pre-scheduled appointment.

Warning Notice to the Family. In such cases a notice will be sent to the family that contains the following:

- A description of the non-compliance and the procedure, policy, obligation which was violated.
- The date by which the violation must be corrected, or the procedure complied with.
- The action which will be taken by the HA if the procedure or obligation is not complied with by the date specified by the HA.
- The consequences of repeated similar violations.
- Procedural Non-Compliance-Overpaid Assistance. When the family owes money to the HA
 for failure to report changes in income or assets, the HA will issue a Notification of
 Overpayment of Assistance. This Notice will contain the following:
 - A description of the violation and the date(s).
 - Any amounts owed to the HA.

- A ten-day response period.
- The right to disagree and to request an informal hearing with instructions for the request of such hearing.
- 3. Participant Fails to Comply with HA's Notice. If the Participant fails to comply with the HA's notice, and a family obligation has been violated, the HA will initiate termination of assistance.
- 4. Participant Complies with HA's Notice. When a family complies with the HA's notice, the staff person responsible will meet with him/her to discuss and explain the Family Obligation or program rule which was violated. The staff person will document the meeting, and retain a copy in the family's file.
- 5. Intentional Misrepresentations. When a participant falsifies, misstates, omits, or otherwise misrepresents a material fact which results (or would have resulted) in an overpayment of housing assistance by the HA, the HA will evaluate whether or not:
 - a. The participant had knowledge that his/her obligations were wrong, and knowledge that the action or inaction was wrong. This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participants' signature on various certification, briefing certificate, Personal Declaration, and Things You Should Know are adequate to establish knowledge of wrong-doing.
 - b. The participant willfully violated the family's obligations or the law. Any of the following circumstances will be considered adequate to demonstrate willful intent:
 - Admission by the participant of the misrepresentation.
 - That the act was done repeatedly.
 - If a false name or Social Security Number was used.
 - If there were admissions to others of the illegal action or omission.
 - That the participant omitted material facts that were known to him/her (e.g., employment of self or other household member).
 - That the participant falsified, forged, or altered documents.
 - That the participant uttered and certified to statements at an interim (re)determination which were later independently verified to be false.
- 4. Dispsitions of Cases Involving Misrepresentations. In all cases of misrepresentations involving efforts to recover monies owed, the HA may pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:
 - a. Criminal Prosecution: If the HA has established criminal intent, and the case meets the criteria for prosecution, the HA will:
 - Refer the case to the local, State, or Federal Authorities, and terminate assistance.
 - b. Administrative Remedies: The HA may:
 - Terminate assistance, and demand payment of restitution in full.
 - Permit continued assistance at the correct level, and execute an administrative repayment agreement in accordance with the HA's repayment policy.
- 5. The Case Conference for Serious Violations and Misrepresentations. When the HA has established that material misrepresentation(s) have occurred, a Case Conference will be scheduled with the family representative and the HA staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the HA. The purpose of such conference is to review the information and evidence obtained by the HA with the participant, and provide the participant an opportunity to explain any documents or mitigating circumstances that the family may present. The family will be given 10 days to furnish any mitigating evidence.

A secondary purpose of the Participant Conference is to assist the HA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed action, the HA will consider:

- a. The duration of the violation and number of false statements.
- b. The family's ability to understand the rules.
- c. The family's willingness to cooperate and to accept responsibility for its actions.
- d. The amount of money involved.
- e. The family's past history.
- f. Whether or not criminal intent has been established.
- g. The number of false statements.
- 6. Notification to Participant of proposed action. The HA will notify the family of the proposed action no later than 10 days after the case conference by mail.

GLOSSARY

A. ACRONYMS USED IN SUBSIDIZED HOUSING

AAF Annual Adjustment Factor. A factor published by HUD in the Federal Register that is

used to compute annual rent adjustments.

ACC Annual Contributions Contract

BR Bedroom

CDBG Community Development Block Grant

CFP Certificate of Family Participation

CFR Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the

compilation of Federal rules that are first published in the Federal Register and they

define and implement a statute.

CPI Consumer Price Index. CPI is published monthly by the Department of Labor as an

inflation indicator.

CR Contract Rent

FDIC Federal Deposit Insurance Corporation

FHA Federal Housing Administration

FICA Federal Insurance Contributions Act - Social Security taxes

FmHA Farmers Home Administration

FMR Fair Market Rent

FY Fiscal Year

FYE Fiscal Year End

GAO Government Accounting Office

GFC Gross Family Contribution. Note: Has been replaced by the term Total Tenant Payment

(TTP).

GR Gross Rent

HA Housing Agency

HAP Housing Assistance Payment

HAP Plan Housing Assistance Plan

HCDA Housing and Community Development Act

HQS Housing Quality Standards

HUD U. S. Department of Housing and Urban Development or its designee

HURRA Housing and Urban/Rural Recovery Act of 1983

HV Housing Choice Voucher

IG Inspector General

IGR Independent Group Residence

IPA Independent Public Accountant

IRA Individual Retirement Account

MR Minimum Rent

MSA Metropolitan Statistical Area established by the U.S. Census Bureau

PHA Public Housing Agency

PMSA A Primary Metropolitan Statistical Area established by the U.S. Census Bureau

PS Payment Standard

QC Quality Control

RLA Request for Lease Approval (see also RFLA)

RFLA Request for Lease Approval

RFP Request for Proposals

RRP Rental Rehabilitation Program

SRO Single Room Occupancy

SSMA. Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan

Statistical Area.

TR Tenant Rent

TTP Total Tenant Payment

UA Utility Allowance

URP Utility Reimbursement Payment

GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

ABSORPTION. In portability, the point at which a receiving HA stops billing the initial HA for assistance on behalf of a portability family. The receiving HA uses funds available under the receiving HA consolidated ACC.

ACC RESERVE ACCOUNT (FORMERLY A PROJECT RESERVE). Account established by HUD from amounts by which the maximum payment to the HA under the consolidated ACC (during a HA fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program.

ADJUSTED INCOME. Annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the HA for administration of the program.

ADMINISTRATIVE FEE RESERVE (Formerly Operating Reserves). Account established by HA from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program. This is the point when the family becomes a participant in the program.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and the HA. Under the contract HUD agrees to provide funding for operation of the program, and the HA agrees to comply with HUD requirements for the program.

ANNUAL INCOME. The anticipated total Annual Income of an eligible family from all sources for the 12month period following the date of determination of income computed in accordance with the regulations.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUDapproved allowances.

APPLICANT. (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

AAS-PAID STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in a HA program, budget authority is the maximum amount that may be paid by HUD to the HA over the ACC term of the funding increment.

CERTIFICATE OF FAMILY PARTICIPATION. A Certificate issued by the PHA under the Section 8 Rental Assistance Program, declaring a family to be eligible for participation in this program and stating the terms and conditions for such participation.

CERTIFICATE OR HOUSING CHOICE VOUCHER HOLDER. A family holding a Housing Choice Voucher or certificate with unexpired search time.

CERTIFICATE PROGRAM. Rental certificate program.

CHILDCARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. (Consolidated ACC). See 24 CFR 982.151.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial HA is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the certificate or Housing Choice Voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

CONTRACT AUTHORITY. The maximum annual payment by HUD to a HA for a funding increment.

CONTRACT RENT. In the Section 8 Certificate Program, Contract Rent is the total rent paid to the owner, including the tenant payment and the HAP payment from the PHA.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or over.

DISABLED PERSON. A person who is any of the following:

- (1) A person who has a disability as defined in section 223 of the Social Security Act. (42 U.S.C.423).
- (2) A person who has a physical, mental, or emotional impairment that:
 - (i) Is expected to be of long-continued and indefinite duration:
 - (ii) Substantially impedes his or her ability to live independently; and
 - (iii) Is of such a nature that ability to live independently could be improved by more suitable housing conditions.
- (3) A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISPLACED PERSON. A person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. Term means:

- (1) Drug-trafficking; or
- (2) Illegal use, or possession for personal use of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ELDERLY HOUSEHOLD. A family whose head or spouse or whose sole member is at least 62 years of age or a Disabled Person as defined in this section or a Handicapped Person as defined in this section or may include two or more elderly, disabled or handicapped persons living together or one or more such persons living with another person who is determined to be essential to his/her care and wellbeing.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBILITY INCOME. May 10, 1984, regulations deleted Eligibility Income, per se, because Annual Income is now for eligibility determination to compare to income limits.

ELIGIBLE FAMILY (Family). A family is defined by the HA in the administrative Plan, which is approved by HUD.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 that exceeded 25% of the Annual Income. It is no longer used.

EXCEPTION RENT. In the certificate program, an initial rent (contract rent plus any utility allowance) in excess of the published FMR. In the certificate program the exception rent is approved by HUD, or the HA under prescribed conditions, and is used in determining the initial contract rent. In the Housing Choice Voucher program the HA may adopt a payment standard up to the exception rent limit approved by HUD for the HA certificate program.

EXTREME LOW INCOME FAMILY. Family whose income is 30 percent of the area median income.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly families only in excess of 3% of Annual Income which are not reimbursable from any other source.

FAIR MARKET RENT (FMR). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the **Federal Register** in accordance with 24 CFR part 882.

FAMILY. The applicant must qualify as a family as defined by the HA.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a HA to promote self-sufficiency of assisted families, including the provision of supportive services.

FMR/EXCEPTION RENT LIMIT. The section 8 existing housing fair market rent published by HUD headquarters or any exception rent. In the certificate program the initial contract rent for a dwelling unit plus any utility allowance may not exceed the FMR/exception rent limit (for the dwelling unit or for the family unit size). In the Housing Choice Voucher program the HA may adopt a payment standard up to the FMR/exception rent limit.

FOSTER CHILDCARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is carrying a subject load that is considered full time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

FUNDING INCREMENT. Each commitment of budget authority by HUD to a HA under the consolidated annual contributions contract for the HA program.

GROSS FAMILY CONTRIBUTION. Changed to Total Tenant Payment.

GROSS RENT. The sum of the Contract Rent and the utility allowance. If there is no utility allowance, Contract Rent equals Gross Rent.

HANDICAP ASSISTANCE. Anticipated costs for care attendants and auxiliary apparatus for handicapped or disabled family members that enable a family member (including the handicapped family member) to work.

HANDICAPPED PERSON. [Referred to as a Person with a Disability]. A person having a physical or mental impairment which:

- (1) Is expected to be of long-continued and indefinite duration;
- (2) Substantially impedes his or her ability to live independently; and
- (3) Is of such a nature that such ability could be improved by more suitable housing conditions.

HAP CONTRACT. (See Housing Assistance Payments contract.)

HARDSHIP (MINIMUM RENT) EXEMPTION. Financial hardship status (suspension) will be granted on the first of the following month of the reported change. Upon request to families for a period of 90 days, pending verification in the following cases:

- (1) The family has lost eligibility for, or is awaiting an eligibility determination for a Federal, State, or Local assistance program, due to no fault of the family;
- (2) The family would be evicted as a result of the imposition of the minimum rent.
- (3) The income of the family has decreased due to changed circumstances, including loss of employment; or
- (4) The death of a family member, which has attributed to a financial hardship for the family;
- (5) Other circumstance determined by HUD or the responsible party;

The HA will promptly investigate and verify the family's request for a hardship exception, to determine if it is short term or long term. Verified short-term hardship exception minimum rent is suspended for 90 days and is accompanied by a reasonable repayment agreement, after the expiration of the 90 days grace period. Failure to comply with the repayment agreement will result in the family's termination of their Section 8 Housing Choice Voucher assistance. Long term hardship circumstance will last for more than 90 days and does not require a repayment agreement.

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term HPHA includes an Indian housing authority (IHA). (HPHA and HA mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by a HA. The total assistance payment consists of:

- (1) A payment to the owner for rent to owner under the family's lease.
- (2) An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a Utility Reimbursement Payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT. (HAP contract). A written contract between a HA and an owner in the form prescribed by HUD headquarters, in which the HA agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING ASSISTANCE PLAN. (1) A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. (2) A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA. The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate x total cash value of assets. Calculation used when assets exceed \$5,000.

IMPUTED WELFARE INCOME. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the Federal Government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either:

- (1) By exercise of the power of self-government of an Indian Tribe, independent of State law, or
- (2) By operation of State law providing specifically for housing authorities for Indians.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LARGE VERY LOW INCOME FAMILY. Prior to the 1982 regulations, this meant a very low-income family which included six or more minors. This term is no longer used.

LEASE. A written agreement between an owner and an eligible family for the leasing of a housing unit.

The Section 8 Certificate and Housing Choice Voucher program have an Addendum to Lease that has mandatory language which must be incorporated into any lease the HA uses. The Addenda are different for the Certificate and Housing Choice Voucher Programs.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

- (1) Is determined to be essential to the care and well-being of the person.
- (2) Is not obligated for the support of the person.
- (3) Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the HA to select among applicant families without regard to their federal preference status.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. For admission to the certificate program, HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. A deduction for Elderly Households only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MINIMUM RENT. A family must pay the greatest of 30 percent of monthly adjusted income, 10 percent of monthly income, or any minimum rent of up to \$50.00.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

NEGATIVE RENT. Now called Utility Reimbursement. A negative Tenant Rent results in a Utility Reimbursement Payment (URP).

NET FAMILY ASSETS. Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

OCCUPANCY STANDARDS. [Now referred to as Subsidy Standards] Standards established by a HA to determine the appropriate number of bedrooms for families of different sizes and compositions.

OWNER. Any persons or entity having the legal right to lease or sublease housing.

PARTICIPANT. A family that has been admitted to the HA's certificate program or Housing Choice Voucher program. The family becomes a participant on the effective date of the first HAP contract executed by the HA for the family (First day of initial lease term).

PAYMENT STANDARD. The amount used to calculate the housing assistance a family will receive in the HA's Housing Choice Voucher Program.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term HPHA includes an Indian housing authority (IHA). (HPHA and HA mean the same thing.) In this rule, an HPHA is referred to as a housing agency (HA).

RANKING PREFERENCE. A preference used by the HA to select among applicant families that qualify for federal preference.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim recertifications.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. This is called Contract Rent in the Certificate Program and Rent to Owner in the Housing Choice Voucher Program. It is the total amount of rent payable to the owner by the family and the HA per month for an assisted unit.

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly, handicapped, and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or wellbeing. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals. (See Sections 882.109(n), 882.106(c) and 882.102 definitions in Appendix 1 of 7420.7.)

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SERVICEPERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone.

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

- (1) Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or
- (2) Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or
- (3) Direct loans pursuant to Section 202 of the Housing Act of 1959; or
- (4) Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;
- (5) Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;
- (6) A Public Housing Project.

TENANT RENT. (Formerly called Net Family contribution.) The amount payable monthly by the family as rent to the owner (including a PHA in other programs). Where all utilities (except telephone) and other essential housing services are supplied by the owner, Tenant Rent equals Total Tenant Payment. Where some of all utilities (except telephone) and other essential housing services are not supplied by the owner and the cost thereof is not included in the amount paid as rent to the owner, Tenant Rent equals Total Tenant Payment less the Utility Allowance in the Certificate Program. In the Housing Choice Voucher Program, Tenant Rent is Rent to Owner less HAP.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNIT. Residential space for the private use of a family.

UNUSUAL EXPENSES. Prior to the change in the 1982 regulations, this was the term applied to the amounts paid by the family for the care of minors under 13 years of age or for the care of disabled or handicapped family household members, but only where such care was necessary to enable a family member to be gainfully employed.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VACANCY LOSS PAYMENTS. (For contracts effective prior to 10/2/95) When a family vacates its unit in violation of its lease, the owner is eligible for 80% of the Contract Rent for a vacancy period of up to one additional month, (beyond the month in which the vacancy occurred) if s/he notifies the PHA as soon as

s/he learns of the vacancy, makes an effort to advertise the unit, and does not reject any eligible applicant except for good cause.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations, this was described as a lower-income family which included eight or more minors. This term is no longer used.

VERY LOW INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the Certificate and Housing Choice Voucher Programs.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

WAITING LIST. A list of families organized according to HUD regulations and HA policy who are waiting for subsidy to become available.

WELFARE ASSISTANCE. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state, or local governments.

WELFARE RENT. This concept is used ONLY for Section 8 Certificate tenants who receive welfare assistance on an AAS-PAID@ basis. It is not used for the Housing Choice Voucher Program.

- (1) If the agency does NOT apply a ratable reduction, this is the maximum a public assistance agency COULD give a family for shelter and utilities, NOT the amount the family is receiving at the time the certification or recertification is being processed.
- (2) If the agency applies a ratable reduction, welfare rent is a percentage of the maximum the agency could allow.

C. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

HA. A housing authority- either a public housing agency or an Indian housing authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor national of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the HA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or Aco-heads.@ ACo-head@ is a term recognized by some HUD programs, but not by public and Indian housing programs.

Housing Authority of the City of High Point Section 8 HCV Administrative Plan

FIVE-YEAR ACTION PLAN

Part I: Summary

Comprehensive Grant Program (CGP)

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF PUBLIC AND INDIAN HOUSING

PHA/IHA Name: Locality: (City/County/State) HOUSING AUTHORITY OF THE CITY OF HIGH POINT HIGH POINT NC [] Original [X] Revision No: Development Number/Name Work Statement for Work Statement for Work Statement for Work Statement for Year 2 Year 3 Year 4 Year 5 FFY: 2002 FFY: 2003 FFY: 2004 FFY: 2005 NC006001 Clara Cox Homes 70,000 295,053 570,000 120,000 346,000 NC006002 **Daniel Brooks Homes** 179,108 1,014,800 Astor Dowdy Towers NC006003 200,000 NC006004 Carson Stout Homes 130,000 640,000 NC006005 **Beamon Courts** 136,000 NC006006 J C Morgan Courts 192.000 320,000 NC006008 Elm Towers 150,000 83,000 NC006009 Juanita Hills 130,000 Scattered Sites "A" NC006012 144,000 10,000 50,000 NC19P006013 Scattered Sites "B" 172.000 10.000 50.000 NC19P006015 Daniel Brooks Annex-2 112,000 NC19P006019 Deep River "619" B. Physical Improvements Subtotal 827,108 1,509,800 1,476,000 1,311,053 C. Management Improvements 23,650 10,000 43,650 33,650 D. PHA-Wide Nondwelling Structures 815,000 118,000 240,000 139,253 E. Administration 191,405 191,405 191,405 191,405 Other 56,925 84,883 127,980 73,780 G. Replacement Reserve H. Total CGP Funds 1,914,088 1,914,088 1,914,088 1,914,088 I. Total Non-CGP Funds J. Grand Total 1,914,088 1,914,088 1,914,088 1,914,088 Signature Signature Public Housing Director/Office of Native American Programs Administrator Date: Date: **Executive Director:**

PHA Control Systems form HUD-52834 (01/05/95)

FIVE-YEAR ACTION PLAN Part II: Supporting Pages Physical Needs Comprehensive Grant Program (CGP)

Year 2 FFY: 2002	PHA: Housing Authority of the City of High Point			
Major Work Category	Estimated Costs			
NC006001, Clara Cox Homes Resurface Parking Lots	70,000			
NC006002, Daniel Brooks Homes Community Center Addition Security Screens for Windows	265,000 179,108			
NC006006, J C Morgan Courts Community Center	550,000			
NC006008, Elm Towers Replace Roof	150,000			
NC006012, Scattered Sites "A" Central Air Conditioning	144,000			
NC19P006013, Scattered Sites "B" Central Air Conditioning	172,000			
NC19P006015, Daniel Brooks Annex-2 Central Air Conditioning	112,000			
SUBTOTAL of ESTIMATED COST	1,642,108			

FIVE-YEAR ACTION PLAN Part II: Supporting Pages Physical Needs Comprehensive Grant Program (CGP)

Year 3 FFY: 2003	PHA: Housing Authority of the City of High Point	PHA: Housing Authority of the City of High Point			
Major Work Category	Estimated Costs				
NC00600, High Point Housing Authority					
Three Vehicles	60,000				
Maintenance Warehouse Addition	58,000				
NC006002, Daniel Brooks Homes					
Gas Furnaces	326,800				
Install Central Air	688,000				
NC006003, Astor Dowdy Towers					
Upgrade Elevators	100,000				
Through the Wall Heating & Air Units	100,000				
NC006006, J C Morgan Courts					
Install Furnaces	192,000				
NC006008, Elm Towers					
Upgrade Elevators	83,000				
NC006012, Scattered Sites "A"					
Resurface Parking Lots	10,000				
NC19P006013, Scattered Sites "B"					
Resurface Parking Lots	10,000				
SUBTOTAL of ESTIMATED COST	1,627,800				

FIVE-YEAR ACTION PLAN Part II: Supporting Pages Physical Needs

Physical Needs
Comprehensive Grant Program (CGP)

Year 4 FFY: 2004	PHA: Housing Authority of the City of High Point			
Major Work Category	Estimated Costs			
NC00600, High Point Housing Authority Three Vehicles Replace Carpet Computer Hardware	90,000 70,000 80,000			
NC006001, Clara Cox Homes Steel Security Screens for Windows Upgrade Underground Gas Lines	150,000 145,053			
NC006002, Daniel Brooks Homes Upgrade Underground Gas Lines	120,000			
NC006003, Astor Dowdy Towers Paint Exterior Replace Carpet in Individual Units Carpet in Hallways and Corridors	110,000 156,000 80,000			
NC006004, Carson Stout Homes Roofs	130,000			
NC006008, Elm Towers Paint Exterior Replace Carpet in Individual Units	110,000 210,000			
NC006012, Scattered Sites "A" Underground Gas Service Lines	50,000			
NC19P006013, Scattered Sites "B" Underground Gas Service Lines	50,000			
SUBTOTAL of ESTIMATED COST	1,551,053			

FIVE-YEAR ACTION PLAN Part II: Supporting Pages Physical Needs Comprehensive Grant Program (CGP)

Year 5 FFY: 2005	PHA: Housing Authority of the City of High Point
Major Work Category	Estimated Costs
NC00600, High Point Housing Au	thority
Three Vehicles	80,000
Computer Hardware	59,253
NC006001, Clara Cox Homes	
Install Central Air	570,000
NC006004, Carson Stout Homes Install Central Air	640.000
Install Certifal All	040;000
NC006005, Beamon Courts	
Install Tub Surrounds	90,000
Install Steel Storm Doors	46,000
NC006009, Juanita Hills	
Install Tub Surrounds	130,000
SUBTOTAL of ESTIMATED COST	T 1,615,253

FIVE-YEAR ACTION PLAN
Part III: Supporting Pages
Management Needs
Comprehensive Grant Program (CGP)

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OFFICE OF PUBLIC AND INDIAN HOUSING

PHA: Housing Authority of the City of High Point

PHA: Housing Authority of the City of High Point				
Major Work Category	Estimated Costs			
Economic Development Program Computer Update	10,000 13,650			
Subtotal Year 2 – 2002		23,650		
Economic Development Program	10,000			
Subtotal Year 3 – 2003		10,000		
Computer Update	43,650			
Subtotal Year 4 – 2004		43,650		
Computer Update	33,650			
Subtotal Year 5 – 2005		33,650		

Public Housing Drug Elimination Program Plan

Note: THIS PHDEP Plan template (HUD 50075-PHDEP Plan) is to be completed in accordance with Instructions located in applicable PIH Notices.

Annual PHDEP Plan Table of Contents:

- 1. General Information/History
- 2. PHDEP Plan Goals/Budget
- 3. Milestones
- 4. Certifications

Section 1: General Information/History

- A. Amount of PHDEP Grant \$317,245.
- B. Eligibility type (Indicate with an "x") N1_____ N2____ R___X___
- C. FFY in which funding is requested 2001 2003.
- D. Executive Summary of Annual PHDEP Plan

In the space below, provide a brief overview of the PHDEP Plan, including highlights of major initiatives or activities undertaken. It may include a description of the expected outcomes. The summary must not be more than five (5) sentences long. The Federal Weed and Seed Program is the basic concept of our DEP Program. Community Police will provide above baseline services to "weed out" gang leaders, violent criminals and drug dealers who plague neighborhoods; and we will "seed" each public housing community with resident training, employment opportunities, and social service programs laced with drug prevention, intervention and available treatment. In addition to community policing, major budgeted activities include KEEP Summer Camp, Boys & Girls Clubs, and Scouts. Residents of all public housing developments, including elderly high-rise facilities, are targeted.

E. Target Areas

Complete the following table by indicating each PHDEP Target Area (development or site where activities will be conducted), the total number of units in each PHDEP Target Area, and the total number of individuals expected to participate in PHDEP sponsored activities in each Target Area.

PHDEP Target Areas (Name of development(s) or site)	Total # of Units within the PHDEP Target Area(s)	Total Population to be Served within the PHDEP Target Area(s)
Clara Cox Homes	140	398
Daniel Brooks Homes and Annex	172	336
Astor Dowdy Towers	106	96
Carson Stout Homes	160	639
Beamon Courts	60	97
J. C. Morgan Courts	96	311
Elm Towers	150	149
Juanita Hills	140	324
Springfield Townhouses	198	0
Scattered Sties A	36	106
Scattered Sites B	43	92
Daniel Brooks Annex #2 (NC6-15)	28	66
Scattered Sites (NC6-17)	19	59
Scattered Sites (NC6-18)	5	16
Scattered Sites (NC6-19)	38	56
Scattered Sites (NC6-20)	30	69
Totals	1,421	2,814

F. Duration of Pro	gram
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Indicate the duration (number of months funds will be required) of the PHDEP Program proposed under this Plan (place an "x" to indicate the length of program by # of months. For "Other", identify the # of months).

6 Months 12 Months	18 Months	24 Months	X	Other
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G. PHDEP Program History

Indicate each FY that funding has been received under the PHDEP Program (place an "x" by each applicable Year) and provide amount of funding received. If previously funded programs <u>have not</u> been closed out at the time of this submission, indicate the fund balance and anticipated completion date. For grant extensions received, place "GE" in column or "W" for waivers.

Fiscal Year of Funding	PHDEP Funding Received	Grant #	Fund Balance as of Date of this Submission	Grant Extensions or Waivers	Anticipated Completion Date
FY 1995	\$375,000.	NC19DEP0060195	- 0 -	Ext. 6 Months To 2/14/98	Completed
FY 1996	\$375,000.	NC19DEP0060196	- 0 -		Completed
FY 1997	\$344,240.	NC19DEP0060197	- 0 -		Completed
FY1998	\$343,720.	NC19DEP0060198	- 0 -	Ext. 3 Months To 3/31/01	3/31/2001
FY 1999	\$306,032.	NC19DEP0060199	- 0 -	None	1-9-2001
FY 2000	\$317,245.	NC19DEP0060100	\$237,914.04	None	9-11-2001

Section 2: PHDEP Plan Goals and Budget

A. PHDEP Plan Summary

In the space below, summarize the PHDEP strategy to address the needs of the target population/target area(s). Your summary should briefly identify: the broad goals and objectives, the role of plan partners, and your system or process for monitoring and evaluating PHDEP-funded activities. This summary should not exceed 5-10 sentences.

Overall Goals / Objectives	Partnership / Role	Monitoring Plan
Target older youth & establish strong	Establish Police Basketball League. Youth outreach	
models	through Scouts, KEEP Camp, and Boys & Girls Clubs.	
Reduce juvenile arrests (ages 16 & 17)	Community Police Officers, Scouts, Boys & Girls Clubs,	Monthly progress reports
through enforcement and seeding programs	KEEP Summer Camp	required from each partner.
Decrease child abuse and neglect	Through tracking efforts of resident initiatives and	Site reviews are made at
Decrease child abuse and neglect	collaboration with Community Police Officers & DSS	least monthly by DEP
Expand our <i>Adopted Neighbor Program</i> to	Resident initiatives through CHSP staff, Resident	Specialist. Monitoring is
maintain daily contact with frail elderly	Council, and Community Police. Stress elderly	coordinated by DEP
manitani dany contact with fran elderly	volunteers and involvement in seed programs.	Specialist. Effectiveness of
Concentrate more on lease violations	Community Police to emphasize support of HPHA and	each component is assessed
Concentrate more on lease violations	more documentation of lease violations.	to implement improvements,
Reduce Domestic Disturbances and Public	Community Police tracking, resident interaction, promote	to accomplish current goals
Disturbances in housing developments.	resident involvement in seeding programs.	and establish new goals.
Erase imaginary boundaries around public	Community Police, Resident Initiatives & interaction,	
housing that imply drugs & crime.	and increase neighborhood watch programs.	

B. PHDEP Budget SummaryEnter the total amount of PHDEP funding allocated to each line item.

FY 2002 PHDEP Budget Summary					
Budget Line Item	Total Funding				
9110 - Reimbursement of Law Enforcement	116,545.				
9120 - Security Personnel	- 0 -				
9130 - Employment of Investigators	- 0 -				
9140 - Voluntary Tenant Patrol	- 0 -				
9150 - Physical Improvements	- 0 -				
9160 - <u>Drug Prevention</u>					
KEEP Summer Camp	40,000.				
Boys & Girls Clubs	42,000.				
Boy Scouts	42,000.				
Girl Scouts	<u>30,000</u> .				
	154,000.				
9170 - <u>Drug Intervention</u>					
Anti-Drug Picnics	1,000.				
	1,000.				
9180 - Drug Treatment					
Alcohol & Drug Services of Guilford, Inc.	- 0 -				
9190 - Other Program Costs					
• DEP Specialists – (2)	45,700.				
	,				
	45,700.				
TOTAL DUDED EUNDING	217.245				
TOTAL PHDEP FUNDING	317,245.				

C. PHDEP Plan Goals and Activities

In the tables below, provide information on the PHDEP strategy summarized above by budget line item. Each goal and objective should be numbered sequentially for each budget line item (where applicable). Use as many rows as necessary to list proposed activities (additional rows may be inserted in the tables). PHAs are not required to provide information in shaded boxes. Information provided must be concise—not to exceed two sentences in any column. Tables for line items in which the PHA has no planned goals or activities may be deleted.

9110 – Reimbursement of Law Enforcement (Community Police Officers)				Tota	l PHDEP Fu	nding: \$116,545.	
Goal(s)	Continue Police Basketball League, reduce juvenile arrests (ages 16 & 17) with baseline of 15, expand <i>Adopted Neighbor Program</i> , decrease child abuse, decrease vacant unit turnover, and increase lease violation support.						
Objectives	Increase	resident secu	rity, reduce dr	ug use, distribut	ion and relate	ed crime, & P	H boundaries
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount/ Source)	Performance Indicators
Community Police Officers			September 1, 2001	September 31, 2002	116,545.	213,455.	Reports of service calls and arrests in and around developments, plus special activities are submitted monthly to HA. Officers work closely with Specialist and Managers.
2. N/A							-
3. N/A							

9120 - Security Personnel N/A					Total PHDEP Funding: \$ N/A		
Goal(s)					•		
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9130 - Employment of Investigators N/A				Total PHDEP Funding: \$ N/A			
Goal(s)							
Objectives							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.							
2.							
3.							

9140 - Voluntary Tenant Patrol N/A					Total PHI	PHDEP Funding: \$ N/A		
Goal(s)								
Objectives								
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators	
1.								
2.								
3.		·						

9150 - Physical Improvements N/A					Total PHI	otal PHDEP Funding: \$ N/A		
Goal(s)								
Objectives								
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators	
1.								
2.								
3.								

9160 - Drug Prevention	\ 0	Total PHDEP Funding: \$154,000.							
in &	around p	oublic hou	sing)		100	g. v -)			
Goal(s)	impr 2) Incea 3) Incre base	improve communication skills, improve positive attitude, and increase awareness of the arts. 2) Increase annual membership by 15%, with baseline of 800. 3) Increase number of PH scouts with baseline of 129, & increase % of parent volunteers with baseline of 25% of the scout leaders are PH parents or PH residents. Increase Eagle Scouts.							
Objectives	2) As a skill 3) Posi	 As an after-school & summer activity, the 5 B&G Club sites design activities for decision-making skills, success in schools, & toward becoming self-supporting individuals. Positively impact the youth in self-esteem, academics, disciplined behavior, & leadership skills. 							
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators		
1. KEEP Summer Camp	150 +	9 – 14	4-2002	7-2002	40,000	42,800	Attendance & youth data compared before & after camp & annually.		
2. Boys & Girls Clubs	800 +	Under 18	9-1-01	9-30-02	42,000	56,672	Drop-in visits & monthly progress reports.		
3. Boy Scouts	100 +								
4. Girl Scouts	225	5-17	9-1-01	9-30-02	30,000	13,496	Monthly progress reports		

9170 - Drug Interventi	on (Prog	rams to identif	y reside	ents with	Total PHI	EP Fundin	g: \$1,000.	
drug problems & coun	sel throu	igh assistance d	& treatr	nent)				
Goal(s)	comm	 Dissolve barriers and create trust relationship between residents, HA staff, police, and other community service agencies. Acquire new techniques and information to improve Drug Prevention Program. 						
Objectives		1) Increase resident participation & involvement measured through food served & anti-drug handouts.						
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators	
1. Anti-Drug Picnics	1,500 +	All Residents	June 2002	August 2002	1,000	Re- Searching	Attendance tracked via food served & anti-drug pamphlets distributed.	
2. N/A 3. N/A								

9180 - Drug Treatment				Total PHDEP Funding: \$ - 0 -			
Goal(s)	1) Increase resident awareness of drugs. To educate all residents to identify potential drug problems among neighbors and instill motivation to inform their housing managers & community police officers. Critique confidential referral plan & tracking plan.						
Objectives	, ,	1) Agency partners with HA as resource to assist residents with substance abuse and prevention education, drug treatment, and follow-up.					
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
Alcohol and Drug Services of Guilford, Inc.	375	Referrals & Atrisk residents	12 mo.	Non Applicable	- 0 -	90,000	Quarterly meetings & annual report including estimated PH clients.
2. N/A 3. N/A							

9190 - Other Program Costs					Total PHDEP Funds: \$ 45,700.		
Goal(s) 1) Successful program implementation that reflects a measurable impact on drug statistics & secur 2) Improve quality and effectiveness of DEP activities and establish new goals. Objectives 1) Coordinate DEP resources, contracting partners, and keep abreast of new DEP techniques. 2) Evaluate each DEP component to achieve maximum quality and increase resident participation.						oals. v DEP techniques.	
Proposed Activities	# of Persons Served	Target Population	Start Date	Expected Complete Date	num quality PHEDEP Funding	Other Funding (Amount /Source)	Performance Indicators
1.DEP Specialists (2)			September 1, 2001	September 30, 2002	45,700	- 0 -	Coordination with community resources & overall success of Drug Program.
2. N/A		Trogram.					
3. N / A							

Section 3: Expenditure/Obligation Milestones

Indicate by Budget Line Item and the Proposed Activity (based on the information contained in Section 2 PHDEP Plan Budget and Goals), the % of funds that will be expended (at least 25% of the total grant award) and obligated (at least 50% of the total grant award) within 12 months of grant execution.

Budget Line Item #	25% Expenditure of Total Grant Funds By Activity #	Total PHDEP Funding Expended (sum of the activities)	50% Obligation of Total Grant Funds by Activity #	Total PHDEP Funding Obligated (sum of the activities)
e.g Budget Line Item # 9120	Activities 1, 3		Activity 2	
9110 / Enforcement 9120	Activity #1	116,545.	Activity #1	116,545.
9130 9140				
9150 9160 / Prevention	Activities 1, 2, 3, 4	154,000.	Activities 1, 2, 3, 4	\$154,000.
9170 / Intervention 9180 / Drug Treatment	Activity # 1 No funds requested	1,000.	Activity # 1 No funds requested	1,000.
9190 / Other Costs	Activity # 1	45,700.	Activity # 1	45,700.
TOTAL		\$317,245.		\$317,245.

Section 4: Certifications

A comprehensive certification of compliance with respect to the PHDEP Plan submission is included in the "PHA Certifications of Compliance with the PHA Plan and Related Regulations."

ADDENDUM 1 TO DWELLING LEASE

POLICY GOVERNING ENTRANCE TO PROPERTY OF THE HOUSING AUTHORITY OF THE CITY OF HIGH POINT

1. PURPOSE

To assure a safe, secure, sanitary environment, free from disturbance, violence, and threats in compliance with 24 CFR 966.55 and all other applicable federal regulations.

2. RULES

Entrance to Property of the Housing Authority of the City of High Point (HPHA) is restricted to HPHA residents and authorized guests. Any individual who has committed crimes or other acts which constitute a threat to the health, safety, or general welfare of the residents of HPHA communities shall be prohibited from entering HPHA property and shall be considered trespassing. All identified trespassers' names shall be placed on a HPHA Trespasser List and HPHA residents shall be required to take all reasonable steps to exclude the named trespassers from the residents' home and HPHA apartment complex pursuant to these rules and the parties' lease. The criteria for establishing a HPHA Trespasser List shall be governed under these rules as follows:

3. CRITERIA

- A. Individuals who have committed crimes or other acts which constitute a threat to the health, safety, or general welfare of the residents of the HPHA communities will be identified as a Trespasser by the HPHA management staff and the High Point Police Department (HPPD) Housing Authority Officers.
- B. A "No Trespass Notice" will be issued to each individual identified as a Trespasser. The verbal or written notice will serve as notice to the individual not to enter or trespass on HPHA property in the future.
- C. Former HPHA residents who have been evicted for criminal offenses that threaten the health, safety, and peaceful enjoyment of other residents shall be issued a "No Trespass Notice" in writing by the HPHA Management Staff and High Point Police Department (HPPD) Housing Authority Officers.
- D. If the individual is a juvenile, a "No Trespass Notice" will be issued to the juvenile's parent or legal guardian.
- E. Each individual who has been issued a "No Trespass Notice" shall be placed on the Trespasser List and shall be provided with a Right to Appeal Notice.
- F. Residents must take all reasonable steps to exclude persons named as trespassers from the residents' home and the HPHA apartment complex as required by the Policy Governing Entrance to Property of the Housing Authority of the City of High Point and the lease agreement between the resident and the HPHA. Such reasonable steps require the resident to notify the HPHA and/or police in the event a trespasser is seen on or about the resident's home or the HPHA property. A resident's failure to follow these rules is grounds for termination of the lease and eviction of the tenant.

4. APPEALS PROCESS

Either the named "trespasser" or any resident can appeal from a determination that a person is a trespasser. If an individual desires to appeal the issuance of a "No Trespass Notice" or desires to be removed from the Trespasser List, an appeals application must be filed with the HPHA as follows:

- A. Submit an appeals application to the Director of Management, Housing Authority of the City of High Point, 500 East Russell Avenue, High Point, NC 27260. An applicant must also provide a current criminal record check from HPPD and a report from a Probation or Parole Officer, if applicable.
- B. In extenuating circumstances and for good cause shown, the Director of Management may permit a named trespasser to visit a resident under certain restrictive conditions. Such extenuating circumstances may include (but are not limited to) the following: visiting a sick parent that is a HPHA resident or visiting the trespasser's child. Conditions placed on the visitation may include (but are not limited to) the following: visiting only during business hours, checking in and out with the property manager, checking in and out with the police. Failure to abide by such restrictions subjects the trespasser to arrest and the resident to eviction. The decision to permit this restrictive visitation is discretionary with the HPHA.
- C. An appeals panel will review each appeals application. The appeals panel will consist of three (3) individuals, a police officer, a resident council president, and another person designated by the Director of Management. The panel will review each application and supporting documents and will make a recommendation to the HPHA Executive Director. The Executive Director's decision is <u>final</u>.
- D. If an applicant has committed a criminal offense, he/she must wait the appropriate length of time with a clear criminal record after the probationary period, parole, or community service period has ended. A list of offenses and waiting periods are as follows:

<u>Offense</u>	Waiting Period
Drug Possession	3 years
Drug Possession with Intent to Sell	3 years
Violent Felonies/Felony Weapon Violation	3 years
Misdemeanor Assault	1 year
Trespassing	1 year
Other Misdemeanor (on HPHA property)	
Or Non-Violent Felonies	1 year
Lifetime Registration Sex Offender	Lifetime

- E. The Executive Director will render a written decision on all appeals applications and forward the decision to each applicant. The Director of Management will maintain a copy of all decisions. The decision of the Executive Director is Final.
- F. If an appeals decision results in a reversal, the applicant's name will be removed from the Trespasser List.

ADDENDUM 3 TO DWELLING LEASE

Housing Authority of the City of High Point High Point, North Carolina

Grievance Policy and Procedures

1. Right to a Hearing

Upon filing of a written or verbal request as provided herein, a complainant shall be entitled to an informal hearing or a formal hearing before the Hearing Officer.

2. Definitions

Grievance shall mean any dispute which a resident may have with respect to PHA action or failure to act in accordance with resident's lease or PHA regulation which adversely affect the individual resident's rights, duties, welfare or status.

Complainant shall mean any resident whose grievance is presented to the PHA and requesting an informal settlement as defined or a formal hearing before the Hearing Officer.

Elements of due process shall mean an eviction action or a termination of residency in a State or local court in which the following procedural safeguards are required:

- Adequate notice to the resident of grounds for terminating the residency and for eviction.
- b. Opportunity for the resident to examine all relevant documents, records and regulations of the PHA prior to the trial for the purpose of preparing defense.
- Right of the resident to be represented by counsel at the expense of the resident.
- d. Opportunity for the resident to refute the evidence presented by the PHA including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the resident may have.
- e. A decision of the merits.

Hearing Panel shall mean a Panel selected as follows:

- a. One panelist shall be a member of the Board of Commissioners of the Housing Authority of the City of High Point, or a local minister. The Chairman of the Panel shall be selected by the Director of Management.
- b. One member shall be appointed by a list of residents selected by the Resident Council Association (RCA). This list shall contain one resident from each project who will serve on a rotating basis in alphabetical order. The complainant will have the privilege of rejecting the first two names, and can request further rejection for reasonable cause. The Chairman of the Hearing Panel shall make the decision in the event of a challenge for cause.
- c. The PHA will provide one Panel member at their discretion, but the panel member shall not be a member of the staff under the employ of the PHA.

Resident shall mean the adult person (or persons, other than a live in aide):

- a. Who resides in the unit, and who executed the lease with the PHA as lessee of the dwelling unit, or if no such person now resides in the unit;
- b. Who resides in the unit, and is the remaining head of household of the resident family residing in the dwelling unit.

Resident Organization includes a resident management corporation.

3. Procedure prior to a hearing.

Any grievance may be personally presented either orally or in writing to the PHA office so that the grievance may be discussed informally and possibly settled without a hearing. A summary of such discussion shall be prepared within a reasonable time and one copy shall be given to the resident and one retained in the PHA's resident file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and shall specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

4. Procedure to obtain a hearing.

Request for hearing. The complainant shall submit a written request for a hearing to the PHA or the project office within a reasonable time after receipt of the summary discussion in the informal settlement of grievance. For a grievance under the expedited grievance procedure, (the informal settlement if not applicable) the complainant shall submit such request at such time as is specified by the PHA for a grievance under the expedited grievance procedure. The written request shall specify:

- a. The reason of the grievance; and
- The action of relief sought;
- Selection of Hearing Officer.

The Hearing shall be appointed from by a list of residents selected by the Resident Council Associations (RCAs) of the public housing communities. This list shall contain one resident from each project who will serve on a rotating basis in alphabetical order.

A grievance hearing shall be conducted by an impartial person. The Hearing Officer may not serve on a hearing when the complainant is a resident in the community in which the Hearing Officer is also a resident.

The complainant may reject the Hearing Officer selected to hear his or her grievance. In event this occurs, the next person to serve as the Hearing Officer on the list shall hear the grievance without further opportunity for rejection by the complainant.

Failure to request a hearing. If the complainant does not request a hearing, then the PHA's disposition of the grievance under the informal settlement procedure shall become final, provided that failure to request a hearing shall not constitute a waiver by the complainant of his right thereafter to contest the PHA's action in disposing of the complaint in an appropriate judicial proceeding.

Hearing Prerequisite. All grievances shall be personally presented, either orally or in writing, pursuant to the informal procedure as a condition precedent to a hearing under this section,

provided, that if the complainant shows good cause why he failed to proceed in accordance with the informal settlement procedure to the Hearing Officer, the provisions of the subsection may be waived by the Hearing Officer.

Escrow deposit. Before hearing any grievance involving an amount of rent, the complainant shall pay to the PHA, an amount equal to the amount of rent due and payable as of the first of the month preceding the month in which the act or failure to act took place. The complainant shall thereafter deposit the same amount of the monthly rent in an escrow amount until the complaint is resolved by decision of the Hearing Officer. These requirements may be waived by the PHA in extenuating circumstances. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure, provided, that failure to make payment shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of his grievance in any appropriate judicial proceeding.

Scheduling of hearings. Upon the complainant's compliance with the above paragraphs of this section, a hearing shall be scheduled by the Hearing Officer promptly for a time and place reasonably convenient to both the complainant and the PHA. A written notification specifying the time, place and the procedures governing the hearing shall be delivered to the complainant and the PHA official.

5. Procedures governing the hearing

- a. The hearing shall be held before a hearing officer as appropriate.
- b. The complainant shall be afforded a fair hearing, which shall include:

The opportunity to examine before the grievance hearing any PHA documents, including records and regulations, that are directly relevant to the hearing. The resident shall be allowed to copy any such document at the resident's expense. If the PHA does not make the document available for examination upon request by the complainant, the PHA may not rely on such document at the grievance hearing.

The right to be represented by counsel or other person chosen as the resident's representative, and to have such person make statements on the resident's behalf.

The right to a private hearing unless the complainant request a public hearing.

The right to present evidence and arguments in support of the resident's complaint, to controvert evidence relied on by the PHA or project management, and to confront and cross-examine all witnesses upon whose testimony of information the PHA or project management relied.

A decision based solely and exclusively upon the facts presented at the hearing.

- c. The Hearing Officer may render a decision without proceeding with the hearing if the Hearing Officer determines that the issue has been previously decided in another proceeding.
- d. If the complainant or the PHA fails to appear at a scheduled hearing the Hearing Officer may make a determination to postpone the hearing for a time not to exceed five (5) business days or make a determination that the party has waived his right to a hearing. Both the complainant and the PHA shall be notified of the determination by the Hearing Officer, provided that a determination that the complainant has waived his right to a hearing shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in an appropriate judicial proceeding.

- e. At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying the PHA action or failure to act against which the complaint is directed.
- f. The hearing shall be conducted informally by the Hearing Officer and oral or documentary evidence pertinent to the facts and issues raised by the complaint may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The Hearing Officer shall require the PHA, the complainant's counsel and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the Hearing Officer to obtain order may result in exclusion from the proceedings or in a decision adverse to the interest of the disorderly party and granting denial of the relief sought, as appropriate.
- g. The complainant or the PHA may arrange in advance and at the expense to the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy or such transcript.
- h. Accommodation of persons with disabilities.

The PHA must provide reasonable accommodations for persons with disabilities to participate in the hearing. Reasonable accommodation may include qualified sign language, interpreter, readers, and accessible location of attendants.

If the resident is visually impaired, any notice to the resident that is required under the subpart must be in accessible format.

6. Decision of the Hearing Officer

- a. The Hearing Officer shall prepare a written decision, together with the reasons therefore, within a reasonable time after the hearing. A copy of the decision shall be sent to the complainant and the PHA. The PHA shall retain a copy of the decision in the resident's folder. A copy of such decision, with all names and identifying references deleted, shall also be maintained on file by the PHA and made available for inspection by a prospective complainant, his representative, or the Hearing Officer.
- b. The decision of the Hearing Officer shall be binding on the PHA which shall take all actions, or refrain from any actions, necessary to carry out the decision unless the PHA Board of Commissioners determines within a reasonable time, and promptly notifies the complainant of its determination, that:

The grievance does not concern PHA action or failure to act in accordance with or involving the complainant's lease on PHA regulations, which adversely affect the complainant's rights, duties, welfare or status;

The decision of the Hearing Officer is contrary to applicable Federal, State or local law, HUD regulations or requirements of the annual contributions contract between HUD and the PHA.

c. A decision by the Hearing Officer or Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatever, any rights the complainant may have to a trial *denora* or judicial review in any judicial proceedings, which may thereafter be brought in the matter.

7. PHA Eviction Actions

If a resident has requested a hearing in accordance with the grievance procedure as above outlined on a complaint involving a PHA notice of termination of the tenancy and the Hearing Officer upholds the PHA's action to terminate the tenancy, the PHA shall not commence an eviction action in a State or local court until it has served a notice to vacate on the resident, and in no event shall the notice to vacate be issued prior to the decision of the Hearing Officer having being mailed or delivered to the complainant. Such notice to vacate must be in writing and specify that if the resident fails to quit the premises within the applicable statutory period, or on the termination date appropriate action will be brought against him and he may be required to pay court costs and attorney fees.

8. Applicability

The PHA grievance procedure shall be applicable (except in those jurisdictions which require that prior to eviction a resident be given a hearing in court containing the elements of due process) to all individual grievances as defined in Section 2-A of this grievance procedure.

The term due process determination means a determination by HUD that law of the jurisdiction requires that the resident must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the dwelling unit. If HUD has issued a due process determination, a PHA may exclude from the PHA administrative grievance procedure under this subpart any grievance concerning a termination of tenancy or eviction that involves:

- a. Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises or other residents or employees of the PHA, or
- b. Any drug related criminal activity on or near such premises.

If HUD has issued a due process determination, the PHA may evict the occupants of the dwelling unit through the judicial eviction procedures which are the subject of the determination. In this case, the PHA is not required to provide the opportunity for a hearing under the PHA's administrative grievance procedure.

The PHA's grievance procedure shall not be applicable to disputes between residents not involving the PHA or to class grievance. The grievance procedure is not intended as a forum for initiating or negotiating policy changes between a group or groups of residents and the PHA's Board of Commissioners.

When the PHA is not required to offer a resident the opportunity for a hearing under the grievance procedure and the PHA has decided to exclude such grievance from the PHA grievance procedure, the notice of termination shall:

- a. State that the resident is not entitled to a grievance hearing on the termination;
- Specify the judicial eviction procedure to be used by the PHA for eviction and state that HUD has determined that this eviction procedure provides the opportunity for a hearing in a court that contains the basic elements of due process as defined in HUD regulations;
 and
- c. States whether the eviction is for criminal activity that threatens health or safety of residents or staff or for drug-related criminal activity.

GOALS/PURPOSE:

To empower the underemployed and unemployed participating low-income families renting under HUD's Section 8 Assisted Housing and Conventional Public Housing Programs to obtain economic independence, self-sufficiency and ultimately independence from government assistance programs.

To use rental assistance as a stabilizing force to permit families to invest their energy in other efforts, including employment, education, and job training and/or retraining that is necessary to achieve upward mobility.

To provide collaboration between The Housing Authority of the City of High Point and local agencies in order to aid the FSS Participants in obtaining the services needed in order to become self-sufficient.

To execute a Contract of Participation with the FSS family. The Contract of Participation is an agreement between the HPHA and a participating family that specifies the provisions of the Family Self-SufficiencyProgram.

- 1. To participate in the FSS Program and earn escrow, a person must be on a Public Housing Authority or Section 8 Lease.
- 2. Selection for the FSS Program will be made without regard to race, color, religion, sex, handicap, familial status, age or national origin.
- 3. Selection shall be in compliance with the rules and regulations for qualification for assistance under HUD's Section 8 and Conventional Public Housing Programs.
- 4. All FSS participants must sign a Contract of Participation.
- 5. Each FSS participant will have an Individual Service Plan, setting goals to be accomplished within the contract term.
- 6. Goals may be changed once within the first 60 days of applying for the FSS Program and/or once between the first and fourth year during the contract term.
- 7. The FSS Staff will strive to have monthly progress checks with the participants to encourage them to achieve their goals in compliance with their Contract of Participation and to ensure that the family has the support it needs to be successful in fulfilling their goals.
- 8. For each participating FSS family that is a recipient of welfare assistance, one goal shall be to become independent from welfare assistance and remain independent from welfare assistance for at least one year before the expiration of the term of the Contract of Participation.
- 9. The Contract of Participation is considered to be completed, and a family's participation in the FSS Program is considered concluded when one of the following occurs:
 - a. The family completes all of its obligations under the contract of participation on or before the expiration of the contract term, including any extension thereof; or
 - b. 30% of the monthly adjusted income of the FSS family equals or exceeds the published existing housing Fair Market Rent for the size of the unit for which

the FSS family qualifies based on the HPHA's Occupancy Standards. The Contract of Participation will be considered completed and the family's participation in the FSS program concluded on this basis even though the contract term, including any extension thereof, has not expired, and the family members who have individual training and services plans have not completed all the activities set forth in their plans; or

- c. The FSS family purchases a house.
- d. The HPHA may, upon review and approval of the Director of Economic Development or his designee, extend the term of the Contract of Participation for up to two years for any participating family that requests in writing an extension for reasons based solely on circumstances that are beyond the family's control.
- 10. The Contract of Participation is automatically terminated if the family's Section 8, or Public Housing assistance is terminated in accordance with HUD regulations. The Contract of Participation may be terminated before the expiration of the contract term, and any extension thereof, by:
 - a. Mutual consent of the parties
 - b. Failure of the FSS family to meet its obligations under the Contract of Participation without good cause, including in the Section 8 FSS program the failure to comply with the contract regulations because the family has moved outside the jurisdiction of the HA;
 - c. The family's withdrawal from the FSS program;
 - d. Such other act as is deemed inconsistent with the purpose of the FSS Program, or
 - e. Operation of law

THE ESCROW ACCOUNT

- 1) The FSS family will not be allowed to receive any money from the escrow account for any purpose if they owe money to the HPHA, i.e., back rent, retro rent, loan.
- 2) After reaching an interim goal, the FSS family may receive, with the approval of HPHA, a portion of the escrow money for the purpose of continued education, auto repair or down payment on a house, up to a maximum of one half of its total escrow.
- 3) To receive assistance mentioned in #2 above for auto repairs, the FSS family must present at least two estimates with the name and address of the FSS participant as well as the name, address and phone number of the vendor, the nature of the repair and the amount necessary to repair the automobile. To receive assistance for continued education, the FSS participant must submit their name, the name of the institution they will be attending, the date(s) of attendance, and proposed course of study. Requests to receive a portion of the escrow account must be made in writing.
- 4) If the FSS family has not met any of their goals, they will not be eligible to receive any of the money in the escrow account unless they are buying a house. The money will be made available to them at the closing minus any monies that the family owes the HPHA.
- 5) A Section 8 FSS family must notify its FSS caseworker upon leaving the HPHA's jurisdiction and verify that they are actively participating in another qualified PHA's FSS Program within 90 days of the relocation or they will forfeit any escrow money in their account.
- 6) FSS case management will only be afforded to families who live in the jurisdiction of the HPHA.

SUGGESTIONS FOR GOALS

1) GET MY GED

Obstacles: Day Care, Transportation, and Money

Solutions: Social Services, Family/Friends, HEART Van or Hi-Tran

2) CLEAN UP CREDIT REPORT

Obstacles: No job, No money, No budgeting skills, and No motivation Solutions: Find employment, Budgeting Classes, Consider the benefits

3) GET MY DRIVER'S LICENSE

Obstacles: Scared, No money, Previous fines Solutions: Relax and study, Pay fines, Get a job

4) WANT TO GET A JOB

Obstacles: Day Care, No job skills

Solutions: Social Services, Family/Friends, Job Training

WANT TO GO TO COLLEGE

Obstacles: Money, Day Care, Time, Transportation and How to get Started

Solutions: Check on financial aid or other forms of financial assistance, Social Services,

Family/Friends, Work out a schedule, HEART Van, Hi-Tran, Seek Help from

someone to guide you through the process. (Guidance Counselors)

6) WORK ON MY CREDIT REPORT

Obstacles: Money, Commitment, Good job

Solutions: Budget my money, Be Committed, May have to work a second job for a

while.

NC006 Housing Authority of the City of High Point

Annual Plan - 2001

IDENTIFICATION OF RESIDENT MEMBER OF THE PHA'S GOVERNING BOARD

Commissioner Mary W. Brown (Resident) 208 Anaheim St Apt B High Point, NC 27262

Appointed by Mayor on May 18, 2000. Oath of office taken on June 14, 2000. Term to expire on December 22, 2003

Method of selection: Appointment by Mayor

NC006 Housing Authority of the City of High Point

Annual Plan - 2001

LISTING OF RESIDENT ADVISORY/RESIDENT COUNCIL BOARD MEMBERS

- Ms. Lena Brown
 600 Saunders Place, Apt. B
 High Point, NC 27260-4029
- Ms. Jacqueline McCray
 510 Saunders Place, Apt. B
 High Point, NC 27260
- Mr. William J. Russell
 1003 E. Russell Ave.
 High Point, NC 27260
- Sheryl Raleigh
 624 East Russell Ave. # B
 High Point, NC 27260
- 5. Emma Moore 1407 West Ave. Apt B High Point, NC 27260
- 6. Mary Pyrtle
 701 E. Green Drive # 707
 High Point, NC 27260
- 7. Beulah Cuthrell 1919 Fern Ave. High Point, NC 27260
- Jonathan Rogers
 807 Leonard Ave.
 High Point, NC 27260
- Alfonso Gill-Harper
 1315 Dartmouth Ave.
 High Point, NC 27260
- 10. Dorothy Ingram701 South Elm Street # 700High Point, NC 27260

- 11. Ida Covington 932 South Road # A High Point, NC 27260
- 12. Juanice Gibson 603 Granby Ave. # H High Point, NC 27260
- 13. Marjetta Wright219 West Kearns StreetHigh Point, NC 27260
- 14. Cynthia Marsh1513 Rice CourtHigh Point, NC 27260
- 15. Chassie Bethea 411 Park St. # 1420 High Point, NC 27260

HOUSING AUTHORITY OF THE CITY OF HIGH POINT

RESIDENT SATISFACTION SURVY FOLLOW-UP PLAN

The Housing Management Division will partner with the Maintenance Division to review the overall comments from the Resident Satisfaction Surveys. We will proceed expeditiously to review all areas of concern and make corrections to any areas that need attention.

Resident forums will be held in each community including Housing Authority staff persons from Housing Management, Maintenance, and both Management and Maintenance Department Managers.

It is the desire of the Housing Authority to hear the concerns of our Residents and make a genuine concerted effort to improve those conditions that may exist that work against fostering safe and healthy environments for our families. Resident satisfaction is our primary concern and our efforts are designed to cater to their needs.

CAPITAL FUND PROGRAM TABLES START HERE

Ann	ual Statement/Performance and Evalu-	ation Report			
Cap	ital Fund Program and Capital Fund F	Program Replacemei	nt Housing Fact	or (CFP/CFPRHF) P	Part 1: Summary
PHA N		Grant Type and Number	9	,	Federal FY of Grant:
Ho	using Authority of the City of High Point	Capital Fund Program Grant N		19P00650101	2 0 0 1
		Replacement Housing Factor			
	iginal Annual Statement Reserve for Disasters/ Eme				
	formance and Evaluation Report for Period Ending:	Final Performance a			
Line No.	Summary by Development Account	Total Estir	nated Cost	Total	l Actual Cost
INO.		Original	Revised	Obligated	Expended
1	Total non-CFP Funds	ě		8	•
2	1406 Operations	204,154			
3	1408 Management Improvements Soft Costs	2 4 3 , 9 2 4			
	Management Improvements Hard Costs				
4	1410 Administration	163,324			
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs	58,873			
8	1440 Site Acquisition				
9	1450 Site Improvement	829,929			
10	1460 Dwelling Structures	3 4 7 , 0 7 0			
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures	129,026			
13	1475 Nondwelling Equipment	65,246			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				

Annual Statement/Performance and Evaluation Report									
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part 1: Summary									
PHA N	ame:	Grant Type and Number		Federal FY of Grant:					
Hou	using Authority of the City of High Point	Capital Fund Program Grant No: Replacement Housing Factor Grant	00650101	2 0 0 1					
	ginal Annual Statement Reserve for Disasters/ Emer	·							
	formance and Evaluation Report for Period Ending:	Final Performance and I	Evaluation Report						
Line	Summary by Development Account	Total Estimate	d Cost	Total A	tal Actual Cost				
No.		<u> </u>							
19	1502 Contingency								
	Amount of Annual Grant: (sum of lines)	2,041,546							
	Amount of line XX Related to LBP Activities								
	Amount of line XX Related to Section 504 compliance								
	Amount of line XX Related to Security –Soft Costs	66,987							
	Amount of Line XX related to Security Hard Costs								
	Amount of line XX Related to Energy Conservation								
	Measures	3 2 3 , 7 5 6							
	Collateralization Expenses or Debt Service								

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part II: Supporting Pages

PHA Name:			Grant Type and Number Federal FY of Grant:				
Housing Auth	ority of the City of High Point				IC19P00850101	2 0 0	1
				g Factor Grant No		T . 1 4 . 1 G .	
Development	General Description of Major Work		Dev.	Quantity	Total Estimated Cost	Total Actual Cost	Status of
Number	Categories		Acct				Work
Name/HA-Wide			No.				
Activities	4.11/P			1.470	120.026	1	
NC006001	Add / Remove Community Center			1470	129,026		
NC006001	Install Foundation Vents			1450	43,050		
NC006006	Architect and Engineering Design			1430	28,087		
NC006006	Drain Lines			1450	29,726		
NC006006	Additional Street Lights			1450	23,821		
NC006006	Replace Water & Sewer Lines			1450	359,025		
NC006008	Architect & Engineering Design Service			1430	30,786		
NC006008	Repave Streets			1450	19,596		
NC006008	Install New Windows			1460	273,375		
NC006009	Replace Gas Meters			1450	354,711		
NC006009	Repair Electrical Transformers			1460	73,695		
NC00600	Drug Elimination Program			1408	67,795		
NC00600	Resident Training			1408	52,500		
NC00600	Economic Development			1408	41,729		
NC00600	Resident Drivers Education			1408	15,750		
NC00600	Resident / Ind. Participation			1408	52,500		
NC00600	Computer Update			1408	13,650		
NC00600	Salary for Contract Coordinator			1410	39,500		
NC00600	Salary for Inspector / Contractor			1410	29,274		
NC00600	Salary Resident Servicies			1410	31,500		

Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)

Part II: Supporting Pages

PHA Name:		Grant Type and N	umber		Federal FY of Grant:	
Housing Auth	ority of the City of High Point	Capital Fund Prog Replacement Hous		2 0 0 1		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Quantity	Total Estimated Cost	Total Actual Cost	Status of Work
NC00600	Accounting & Administrative		1410	25,11	6	
NC00600	Resident Participation		1410	5,68	3	
NC00600	Fringe Benefits		1410	32,25	1	
NC00600	Purchase Vehicles		1475	65,24	6	
NC00600	Operations		1406	204,154	1	

Annual Statement/Derformence and Evaluation Depart										
Annual Statement/Performance and Evaluation Report										
Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF)										
Part III: Implem	entation S	chedule								
PHA Name:		Grant	Type and Nur al Fund Progra				Federal FY of Grant:			
		Repla	cement Housir	ng Factor No:						
Development Number	Al	l Fund Obligate	ed	A	ll Funds Expended		Reasons for Revised Target Dates			
Name/HA-Wide Activities	(Qua	arter Ending Da	ate)	(Q	uarter Ending Date	e)				
	Original	Revised	Actual	Original	Revised	Actual				
_										

Capital Fund Program Five-Year Action Plan Part I: Summary

PHA Name				☐ Original 5-Year Plan☐ Revision No:	
Development Number/Name/HA- Wide	Year 1	Work Statement for Year 2 FFY Grant: PHA FY:	Work Statement for Year 3 FFY Grant: PHA FY:	Work Statement for Year 4 FFY Grant: PHA FY:	Work Statement for Year 5 FFY Grant: PHA FY:
	Annual Statement				
Total CFP Funds (Est.)					
Total Replacement Housing Factor Funds					

Capital Fund Program Five-Year Action Plan Part II: Supporting Pages—Work Activities

Activities for				Activities for Year:				
Year 1	FFY Grant:			FFY Grant:				
		PHA FY:	PHA					